

BEETON'S
ILLUSTRATED DICTIONARY

RELIGION, PHILOSOPHY, POLITICS, & LAW

With Explanatory Engravings.

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PREFACE.

THE present volume is, according to its arrangement, encyclopædic in character. The various subjects upon which it treats, comprising Religion, Philosophy, Politics, and Law, embrace so large a field that considerable difficulty arises in fulfilling the task of giving a satisfactory amount of information concerning each, and including the whole within the compass of a single volume. Where the field is so large, the process of selection naturally becomes difficult, and on the manner in which that task is performed, the value of the book will to a great extent depend.

Accordingly, the editor has devoted much care and attention to the task of selection in the various articles, with the view of including all that properly forms a subject for inquiry in a dictionary, and would come within the scope of a work like the present. The relative length of the various articles has been apportioned as far as possible in proportion to the importance of the subject matter, and also to the amount of difficulty attached to its definition or explanation. Thus more space has been given to the elucidation of new ideas than to those subjects which, though perhaps highly important in themselves, are generally understood and appreciated, and where, therefore, a long explanation would be deemed superfluous.

An important and highly necessary feature in a work of this kind is facility of reference. To secure this desirable point, care has been taken where the title of an article consists of more than one word to enter it under the most striking word, and the one with which the subject is usually associated. Thus, for instance, "Lettre do cachet" will be found under the word "Cachet," the Spanish paternity of the Sainte Hermandad under "Hermandad;" while in many cases where the subject might be sought under various headings, reference is made to it under each that it may not be missed. Thus "Lady Day" will be found mentioned under the heading "Annunciation," "Lady Style," "Year," &c., so that it cannot be missed by any inquirer referring to the Dictionary.

In the portion devoted to "Religion," the various sects and creeds will be found accurately defined, and the distinctions between them clearly laid down. Under "Lamaism," for instance, the religion of Tibet and the various ceremonies connected with the worship of the Dalai Lama, &c., are concisely set forth. Under "Consub-

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tion, or Impunation," the doctrine of the Lutheran Church, as opposed to that of the Roman Church expressed in "Transubstantiation," is briefly explained. In "Galatians" will be found a short exposition of the Epistle of St. Paul known by that title. Under Halacha, the oral law of the Jews, the reader is referred for explanation to the words "Midrash," "Mishna," "Talmuds," &c.

In "Philosophy" also the range is wide, the designation covering a large area of knowledge. Here also care has been taken for conciseness of explanation combined with clearness, and for the insertion of the greatest practicable amount of information in the space available. The political articles will be found to contain many curious and interesting particulars connected with various forms of government, ancient and modern, laws of land, taxation, military systems, education, parliamentary and municipal institutions, councils and assemblies, finance and money, offices and dignities, &c., &c.; in the department of "Law," full explanations of judicial terms, proceedings, and institutions will be found, with many curious facts relating to old law terms, customs of courts, rights, privileges, limitations, &c.

The information in the Dictionary has been carefully brought down to the present time, and all alterations and innovations, such as, for instance, those introduced into the army and navy, with regard to the admission of officers and cadets, the abolition of distinctions of precedence among admirals of the red, the white, and the blue, &c., have been fully noticed.

The pronunciation of foreign terms, and of the less known English terms, is indicated by combinations of letters that give the sound in most cases with entire accuracy, in others, as, for instance, in French words, where there is no exactly equivalent sound in the English language, at least as nearly as possible.

The work may be asserted with confidence to contain everything that is necessary for a satisfactory and full knowledge of the subjects it includes; and all that the most industrious editorial revision could do, in the way of rendering it accurate and free from errors, has been done, with every expenditure of care, and, it is hoped and believed, with corresponding success.



BEETON'S

DICTIONARY OF RELIGION, PHILOSOPHY, POLITICS, AND LAW.

AB

AB, *ab*, in Hebrew chronology the fifth month of the ecclesiastical and the eleventh of the civil year. It contained thirty days, and corresponded to the latter part of our July and beginning of August. The month of the month is one of the principal Jewish fast days, commemorating the destruction of the temple by Nebuchadnezzar and also by Titus.

ABACOT, *ab'-a lot*, a cap of dignity, formerly worn by the kings of England and adorned with two crowns of gold, with jewels.

ABATEMENT, *a bat' ment* (old Fr. *abatere*, to beat down, to destroy), in Law, a term signifying the rejection of a suit on account of some fault either in the matter or proceeding. If, nevertheless, a 'plea in abatement' is some exception alleged against the plaintive's writ, declaration, &c., and praying that the plaint may abate or cease.

Of Nuisances Both public and private nuisances may be peacefully abated or overcome. Thus if a person be unlawfully annoyed or damaged by a private nuisance, and he may abate or destroy the nuisance provided he does no more than is absolutely required to get rid of the nuisance which annoys or damages him. An obstruction of a public road such as a gate being thrown across it constitutes a public nuisance and a person may abate or overcome such nuisance provided he does no more than is absolutely required for the accomplishment of his purpose.

Of Freshhold—This applies to a stranger entering upon lands before the entry of the heir or devisee, and keeping the latter from possession.

Of Legacies—A deduction from legacies when the funds left are not sufficient to pay them in full.

ABBA, *ab'-ba*, a Syriac term signifying "father." It appears to have been in use in the apostolic age as a familiar and affectionate term, and the New Testament expression, "Abba Father," implies a loving God and Father.

ABBE, *ab'-ba*, the French term for an abbot, but the title reserved a new application about the middle of the sixteenth century, when Pope Leo X. appointed abbots *commendataries* to nearly all the abbeys in France. They were not necessarily monks, but persons generally of good family, who enjoyed the revenues and assumed a partially clerical character and costume. Some of them were distinguished men of letters, or rose to eminence in the state; while many of them were engaged, less prominently, in public or private business.

ABBOT

ABBESS *ab bess* (Fr. *abbess*), the superior of an abbey or convent of nuns. An abbess exercises the same authority over nuns that an abbot does over monks; spiritual functions alone excepted. It was decided by the council of Trent that an abbess before entering upon her functions should have attained the age of 20 and been a professed nun for eight, or 12 years. In the usual abbesses reside 10 or 12 convents in which were both nuns and monks.

ABBEY, *ab' i* (Fr. *abbaye*) a religious house, presided over by an abbot or abbess. When the superior was a prior or prioress the establishment, being dependent on a mother monastery, was called a priory. In this country after the demolition of religious establishments by Henry VIII. many of the buildings were given to private individuals and the name was retained, although the ecclesiastical edifices were used as residences. Battle Abbey and Woburn Abbey are instances of this. The word was frequently prefixed to towns and villages adjacent to the abbey, as Abbey Milton, in Dorsetshire, and Abbey Leix, Queen's County, Ireland.

ABBOT, *ab' lot*, the chief ruler of a monastery, or abbey of monks. The term comes from the Hebrew *ab*, through the Greek, *abba*, father. At first abbots were generally laymen and subject to the bishops, and even to the pastor of the parochial district within which they were established. Afterwards, however, the office was held by those who had taken holy orders, assumed greater power, and aspired to even equal rank with the bishops, which led to frequent vexatious disputes in the Church. Distinctions also arose among abbots as *mitral*, those privileged to wear the mitre, and exercise episcopal authority within their respective precincts, and who, in this country sat in the House of Lords, *crowned*, so named from their carrying the crosier, or pastoral staff, *co-monial*, such as exercised universal dominion, and *cardinal*, from their superiority over all others. Abbots, with their revenues, were frequently conferred upon influential noble men or royal favourites, who were known as *lay-abbots*. Noblemen appointed lay-abbots were known as *abbacomites*, and knights as *abbates milites*. The abbot of a convent was elected by the monks, subject to confirmation by the bishop.

Abbot of Poils, or Marale (in Scotland, the Abbot of Unschon) A mock abbot appointed by the monks of the middle ages to preside over the Christmas festivities.

ABDICATION, *ab-de-kai'shun* (Lat. *abdico*, I renounce, reject, refuse), in general signifies the renouncing or giving up of any trust before the usual or stated time of holding it is expired; but it is commonly applied to the renouncing of regal power. It differs from resignation in that the latter is done in favour of some one, whereas the former is done unconditionally. Abdications occur most frequently in absolute governments, as we find among the Roman emperors, the sultans of Turkey, and the czars of Russia. By the English constitution the sovereign cannot abdicate except with the consent of the two houses of parliament. It has been held, however (as in the case of James II., 1688), that the sovereign may, by acting subversively of the constitution be regarded as having abdicated. In early times the most noted abdications were those of Sylla, the dictator (B.C. 79), and Diocletian, the emperor (A.D. 305). In more recent times we have the emperor Charles V. (1556); Christian of Sweden (1654); Philip V. of Spain (1764); Victor Amadeus II. of Savoy (1730); Charles IV. of Spain (1808); Napoleon (1814 and 1815); Victor Emmanuel V. of Savoy (1821); Charles X. of France (1830); William I. of Holland (1840); Louis Philippe of France (1843); Louis Charles of Bavaria (1848); Ferdinand of Austria (1848); Charles Albert of Savoy (1849); Isabella II. of Spain (1870); Napoleon III. (1870); Amadeus I. of Spain (1873).

ABDUCTION, *ab-duk'shun* (Lat., *ab*, from, and *duco*, I draw), in Law, is the carrying off by force, or fraud, the person of another. In the case of females, the term "kidnapping" is used. By 24 and 25 Vic. c. 100 s. 31, forcible taking away or detention against her will of any woman of any age is felony. In the case of an abduction of a ward, the guardian may apply for remedy to the Court of Chancery. If an heiress be taken away for the purpose of either marriage or dower, the act becomes a felony, and the principal, or his aiders, abettors, or counsellors, may be punished by penal servitude for fourteen years and not less than three years, or to imprisonment, with or without hard labour, for any term not exceeding two years. The offender forfeits all interest in the property which would otherwise come to him by the marriage. The abduction of a girl under sixteen is a misdemeanour the punishment of which is fine or imprisonment, and if a marriage shall have been brought about by violence, it may be set aside on that ground. It is an offence to take away a natural daughter under the age of twenty-one from the custody of her putative father.

In **Logic**, a form of reasoning called by the Greeks, *apagoge*, in which the greater extreme is contained in the medium; but the medium is not so evidently in the lesser extreme. *E.g.*, Whatever God has revealed is certainly true; now God has revealed a future retribution; therefore a future retribution is certainly true. In the use of this kind of reasoning, the minor proposition must be proved to be contained in the major, otherwise the reasoning is inconclusive.

Of Votage. See **ERECTORS**.

ABECEDARIANS, *a-be-ce-de-ri-ans*, the name given to a small body of fanatical sectaries, followers of Storch, an Anabaptist, who appeared in the sixteenth century, and adopted, as their leading doctrine, the rejection of all worldly knowledge, even of the alphabet.

ABELITES, *a-bel-ites*, a Christian sect established in the fourth century, near Hippo, in

North Africa. It soon died out, for although the male and female members formed social alliances, they abstained from matrimonial intercourse, in order that they might not propagate original sin; but each couple adopted a boy and a girl. As no children of Abel are mentioned in the Hebrew Scriptures, the Abellites adopted his name, presuming that he held similar views.

ABETTOR, *a-bet-tor* (probably from Saxon *betan*, to push forward or incite), in Law, one who instigates or sets on another to commit a crime. If the abettor is present at the time that the crime is committed, he is treated as a principal; if absent, as an accessory before the fact.

ABEYANCE, *a-bei-ans* (Norman-French, *abey*, to expect), in Law, signifies that the fee-simple of lands, or a dignity or office, is waiting, or in expectancy of an owner who has to be discovered. For example, if a certain C holds a grant for life, with the heirs of D as inheritors, the inheritance remains in abeyance until the demise of D, as it is impossible that there can be an heir to a living person. A peerage is held to be in abeyance when the next inheritors are several females.

ABHORRERS, the name given in 1679, to the Court party in England, who expressed their "abhorrence" of those who endeavoured to encroach on the royal prerogative of assembling or delaying the assent of Parliament to pleasure. The Abhorers were afterwards known as Tories. (See **POLITICAL PARTIES**.)

ABIB, *a-bib*, the first month of the Mosaic Hebrew year, corresponding to our April. The name signified the month of the ears of corn; but after the Babylonish Captivity it was changed to Nisan, month of flowers.

ABINGDON LAW. The town of Abingdon was held by the Parliamentary forces against the Royalists in 1644, and following years. The defenders put every Irish prisoner, captured when the assaults were made, to death without trial, hence the term "Abingdon Law."

ABJURATION, OATH OF, *ab-in-ju-i-sion* (Lat., *ab*, from, and *juro*, I swear), a form of oath originally imposed by statute 13 William III., and regulated by 6 George III., by which the juror acknowledged the right of the present royal family of England to the crown, under the Act of Settlement. He who took this oath further promised to support the monarch to the utmost of his power; engaged to disclose all plots against him; and declared that the descendants of the Pretender, or son of James II., had no right to the crown of England. The oaths of abjuration were generally required to be taken at the same time with the oaths of allegiance and supremacy; but all these oaths have now been reduced by the Act 31 and 32 Vic. c. 71, to the following simpler form, "I, A. B., do swear that I will be faithful and bear true allegiance to her Majesty, Queen Victoria, her heirs and successors, according to law. So help me, God." This short form removed the objections formerly felt by Roman Catholics and Jews.

Abjuration of the Realm, in Law, means the taking of an oath, by which the juror engages to renounce and quit the realm for ever. Popish recusants, or those who refused to acknowledge the supremacy of the King of England as head of the Church, were in former times constantly being called upon to take the oath of abjuration of the realm; but by the statute 31 George III., made in 1791, the Roman Catholics were relieved from this as well as other penal restrictions.

Abjuration of Heresy was an act frequently required by the Roman Catholic church. History affords several examples of this act. Henry IV. abjured the Protestant religion on ascending the throne of France, in 1593; the queen of Sweden abjured her religious opinions in 1655; Turanne in 1633; and Augustus II. of Poland in 1706. Galileo was obliged to abjure his philosophical opinions by the Inquisition in 1633.

ABLUTION, *ab-lu'-shun* (Lat., *ablutio*), signifies, in a general sense, the washing or cleansing by water. The washing of the body, as being a fit emblem of purification, as well, doubtless, as from its importance in a sanitary point of view, came to form a more or less important part in almost every form of religious worship. It was enjoined in the Jewish economy, and we find our Saviour repeatedly censuring the Pharisees for trusting to external ablution instead of spiritual purification. In Mohammedanism and the religions of India ablution occupies a very important place. The Christian rite of baptism is a symbolic ablution. Roman Catholics apply the term to the cleansing of the chalice and the fingers of the celebrating priests after the administration of the Eucharist.

ABOLITION, *ab-o-lish'-un*, in parliamentary language, signifies the repealing some statute or usage. (See SLAVERY.)

ABOLITIONISTS, a political and philanthropic party in the United States, who, by constant agitation and great exertions on the platform and the press, endeavoured to procure the abolition of slavery. Many of the most eminent orators and writers of the country, including Channing, Whittier, Lloyd Garrison, and prominent politicians of the REPUBLICAN party, attached themselves to the cause. The Pennsylvania Abolition Society was founded in 1775, Benjamin Franklin being the first President, and it continued to exist until slavery was abolished in 1862. The American Anti-Slavery Society was formed in Philadelphia in 1833; and in 1840 a number of the members seceded, and formed the American and Foreign Anti-Slavery Society. The advocates of abolition were exposed to great opposition, and even murderous attacks from their opponents, especially in the Southern States.

ABOMINATION OF DESOLATION. This phrase was used by Christ in prophesying the approaching destruction of Jerusalem (Matt. xxiv. 25, and Mark xiii. 14). Reference is made to the prophet Daniel, who, in three places, refers to the abominations which make desolate (ix. 27, 31, xii. 11).

Abomination.—A term applied in the Old Testament to certain idols of the heathen, to the worship of which the Israelites were seduced. The idol Chemosh is spoken of as "the abomination of Moab," and Moloch as "the abomination of the children of Ammon."

ABORIGINES PROTECTION SOCIETY, established for the purpose of protecting the lives and rights of the aborigines of British Colonies in 1838.

ABORTION, *ab-or'-shun* (Lat., *abortio*, untimely birth), in physiology, the premature separation and expulsion of the foetus from the womb. When occurring after the eighth month of pregnancy, "premature labour" is the phrase generally used. Abortion may arise from malformation, general weakness, special disease, or accident. The wilful production of abortion, by administration of drugs or the use of instruments, unless rendered necessary in professional treat-

ment, for the preservation of the life of the mother, is a criminal offence, not in itself murder, although it would be so if the mother's death followed as a consequence of the act. By the Act 24 and 25 Vic. c. 100 sec. 58, the offence is a felony, and may be punished by penal service or imprisonment.

ABRAHAMITES, a name adopted at different times by sects of religionists. The earliest known were followers of Abraham, or Ibrahim, of Antioch, who, about the end of the eighth century, revived the opinions of the Paulicians (see PATRIARCH), and succeeded in gaining over to his sect a great number of the people of Syria. They were soon scattered, however, chiefly by the exertions of the Patriarch Symeon. The name was also given to a sect of monks in the ninth century, who were charged with idolatry, and exterminated by the Emperor Theodosius. In 1782, a sect was formed in Bohemia, the members of which assumed the name, and professed to adopt the religious faith of Abraham before he was circumcised. They rejected baptism and the doctrine of the Trinity, and recognised no Scripture but the Decalogue and the Lord's Prayer. They professed to believe in the unity of God, the immortality of the soul, and a future state of rewards and punishments. The Emperor Joseph II. refused to tolerate them, and expelled them from their native land. The sect obtained no new accessions and soon died out.

ABRAHAM'S BOSOM. This phrase is used by Christ in the parable of the rich man and Lazarus (Luke xvi. 22). It refers to the oriental custom of reclining on couches at meals and in such a way that each guest rested upon the bosom of his neighbour. The position with respect to the master of the house was of especial honour. To be in Abraham's bosom thus became a metaphor expressive of the highest spiritual condition and felicity. At the Last Supper, John, the beloved disciple, "was leaning on Jesus' bosom" (John xiii. 23).

ABRAXAS, *a-brax'-as*, a term used by the Gnostics, a philosophical sect, who, in the early ages of Christianity, endeavoured to reconcile the doctrines of Paganism with those of Christianity. (See BASILIDANS.) The word signifies 365 dependent deities, or "spirits of the world."

Abraxas Stones.—Gems on which the word "Abraxas," or "abraxas," and sometimes figures compounded of birds and serpents were engraved. They appear to have been used in the middle ages as talismans or charms.

ABSENTEE, *ab-sen-ti'*, is a term applied to a person who derives his income from one country, but who resides and expends it in another. Whether the absence of a landlord be injurious to a country in an economical sense is a question which has been much debated of late years, more particularly in connection with Ireland. Though it is not true that the whole revenue spent out of a country is so much clear loss to that country, yet there can be little doubt that it has a prejudicial effect. The profits of the foreign retailers, servants, and others, remain at least in the foreign country, and are so much abstracted from the absentee's country. But there is a higher point of view in which this subject is to be regarded; namely, the moral. The evils here are undeniable. It is the duty of the proprietor to regard the interest of his tenants, to set before them a good example, and to aid them in effect-

ing local improvements. An Absentee Tax of four shillings in the pound was levied in Ireland between 1715 and 1753.

ABSOLUTE, THE, *ab-sol-ute* (Lat., *absol-vere*, loosened from, or unrestricted), in *Metaphysics*, is a term employed to indicate that which exists without limitation of any kind. Another term, of the same meaning is, the unconditional. The absolute stands opposed to the relative or conditional. Absolute truths are truths which are necessary and universal, such as the axioms of mathematical science, and, in the estimation of certain schools of thought, the first principles of theology and morals. It is chiefly in Germany that the belief in such absolute truths exists. The greater number of English metaphysicians, among them Hamilton and Mansel, have believed in the relative or conditional nature of all truth whatsoever. Many thinkers, however, of the first order, have endeavoured to seek a universal postulate, *i.e.*, a truth so self-evident as to require no illustration, one effort in that direction being that of Mr. Herbert Spencer, in his treatise on "Psychology." (See *METAPHYSICS*.)

Absolute, in Politics, a form of government in which the supreme head or sovereign is above the control of constitutional checks, and enjoys unrestricted power. (See *Despotism*.)

Absolute Number is the known quantity which possesses one side of an equation; thus, in $2^2 + 12 = 24$, the absolute number is 24, which is equal to the square of 4 added to 12.

Absolute Velocity is the rate of the motion of a body through space, in distinction to the relative velocity of two bodies, that is the rate at which they approach or recede from one another.

ABSOLUTION, *ab-so-lu-shun* (Lat., *ab*, from, and *solvere*, I loose), is a remission of sins pronounced in favour of a penitent. In the primitive Church, the absolution was given by the presbytery and elders, in presence of the congregation on satisfactory proof that an offender who had caused scandal was truly penitent. It is said that down to the 12th century the formula of absolution was, "May God," or "May Christ absolve thee," but it was changed into "I absolve thee from thy sin," the priest thus assuming to himself the power to forgive sins. This is still the doctrine of the Roman Catholic Church, sanctioned by the council of Trent, and grounded on John xx. 23. The Greek Church retains the older form. The form that occurs in the Church of England Order for the Visitation of the Sick, "I absolve thee from all thy sins," is held to be only declaratory of the sinner's pardon upon the apparent evidences of a sincere repentance, and according to the best judgment of the priest. In the early Church there were held to be five kinds of absolution—sacramental, by baptism and by the eucharist; declaratory, by word of mouth and doctrine; precatory, by imposition of hands and prayer; judicial, by relaxation of Church censures.

In *Criminal Law*, the acquittal of an accused person on the ground that the evidence has either disproved or failed to prove the charge brought against him.

ABSTEMII, *ab-ste-we-i*, a name given by the early Reformers to members who refused to partake of fermented wine, and, therefore, abstained from the cup in the eucharist. Calvin permitted them to partake of the bread only, touching the cup with their lips; but the Lutherans held such a partial taking of the sacrament to be a profanation.

ABSTINENCE, *ab-sti-nense* (Lat., *abstineo*, I abstain), the act or habit of refraining from something to which we have a propensity, or in which we find pleasure; but it is more particularly applied to the privation or sparing use of food; and, with the prefix "Total," to abstinence from alcoholic drink. (See *TOTAL ABSTINENCE*, *TEETOTALER*.) Abstinence has been enjoined and practised for various ends, as sanatory, moral, or religious. Physicians relate wonderful cures effected by abstinence; moralists, as the Pythagoreans, Stoics, and others, recommend it as a means of bringing the animal part of our nature into greater subservience to the spiritual; and it is likewise enjoined by various religious sects. (See *FASTS* and *FASTING*.)

ABSTRACTION, *ab-strak-shun*, in *Metaphysics* this name is given to that operation of the mind by which it takes cognisance of qualities separately from the thing in which they exist. "An abstraction" is the idea which is the result of the above process; an abstract idea, which, however fugitive in itself, speedily clings to a word, and becomes incorporate with it. The question whether abstract ideas, such as beauty, truth, time, space, have any real existence, or are only forms of things and wholly relative, is, and always has been, the great bone of metaphysical contention. It was the point in dispute between the Realists and Nominalists of the Middle Ages, and still divides thinkers into two great schools. (See *REALISTS*, *NOMINALISTS*, *PERSONIFICATION*.)

ABSRDUM, REDUCTIO AD, *ab-sur-dum, re-duct'-sho-o*, is a mode of argument which proves the truth of the thing asserted, by demonstrating that the contrary is impossible, or leads to an absurdity. It is much used in geometry.

ABUNA, *a-bu'-na*, the title given to the archbishop or metropolitan of Abyssinia. (See *ABYSSINIAN CHURCH*.)

ABYSSINIAN CHURCH, the name of a sect of the Christian Church established in Abyssinia. It is said, that about the beginning of the 4th century of our era, Meropius, a learned Greek of Tyre, when on a voyage of discovery, had landed on the coast of Abyssinia. Here he was attacked by the natives, and himself and crew murdered, with the exception of two youths, Frumentius and Aedesius. These rose into great favour and influence in the country, and Frumentius was subsequently made bishop of Anxumas (the chief city of Abyssinia) by Athanasius, and laboured with great success. In doctrine, the church is Monophysite, or Eutychian (see separate headings), maintaining that there is only one nature in Christ, his humanity being absorbed in his divinity; but there are controversies, carried on with considerable acumen, respecting minor points. The Church, as now existent, is a mixture of Roman Catholicism, Judaism, and superstition. Adoration of the Virgin, invocation of saints, praying for the dead, and the veneration of relics, are practised and carried to excess. The worship consists in reading passages of Scripture, and the administration of the Lord's Supper, without preaching. There are monastic institutions, and the ecclesiastical body is very numerous, consisting of priests, monks, and nuns, who are greatly revered. If a priest is married previous to his ordination,

he is allowed to remain so, but he must not marry after entering the priesthood. The Church is national and independent, presided over by an Abuna (see ABUNA), who is ordained by the Coptic patriarch of Alexandria, and, for the purpose of securing greater learning than an Abyssinian is likely to possess, is required to be a foreigner. He resides at Gondar in a handsome palace. Both sexes are circumcised in infancy, adult baptism is practised, and love feasts are held; but transubstantiation is denied. The Mosaic law with respect to purification and food are observed; the eating of animals which do not chew the cud and which have not cloven hoofs being prohibited. The oldest churches are hewn out of rocks; the more modern buildings are chiefly of a circular form, with thatched roofs, and divided into three compartments—an outer one for the laity, one within for the priest, and another for the Holy of Holies. The churches are richly adorned with pictures, but no images are permitted. Early in the seventeenth century, by the influence of Portuguese missionaries, the royal family formally united the Church to the see of Rome; but the priests and the people resented the innovation so persistently that the act was rescinded, and the Catholic missionaries put to death.

ACACIANS, followers of Acacius, surnamed Luscus, or Monophthalmus (the one-eyed), bishop of Cæsarea from 340 to 356 A. D., who held that Christ was not a created being, as the Arians maintained, nor of like substance with the Father, but simply like the Father. The name is given in the next century to the followers of Acacius, patriarch of Constantinople, who, with the emperor Zeno, prepared the *HEXATECHON*, or edict of union intended to appease the rupture between the churches of Constantinople and Alexandria. He was excommunicated for administering the sacrament to heretics. In later times, the name has been adopted by various small sects.

ACCEPTANTS. (See CONSTITUTIONISTS.)

ACCESSORY, *ak-ses'-so-re* (Lat., *accedo*, I approach), in Law, signifies one who is guilty of a felonious offence, not principally, but by participation. There are two kinds of accessories—"before the fact" and "after the fact." An accessory "before the fact" is he who, "being yet absent at the time of the crime committed, doth yet procure, counsel, or command another to commit a crime." An accessory "after the fact" is one who receives, assists, or relieves a felon of whose guilt he has knowledge. (See LAW, CRIMINAL.)

In Painting (Fr., *accessoire*), a term used to signify those things introduced into a picture for the purpose of explaining and helping the principal objects in telling the story. The works of Hogarth furnish excellent examples of the advantages to be derived from the employing of accessories.

Accessory Actions, in Scotch law, actions which are subservient to other actions.

Accessory Obligation, in Scotch law, a technical term signifying an obligation annexed to another obligation, which is antecedent or primary.

ACCESSION, *ak-ses'-shun* (Latin, *accessio*, going to or toward). In history, the coming to the throne of a dynasty or line of sovereigns, as the accession of the house of Tudor or of Hanover. When a single sovereign is spoken of, the word "succession" should be employed.

In Law.—In international law, the act of a power when it becomes party to a treaty concluded between

other powers. In English and Scotch law, property is acquired by *natural* or *artificial* accession. The former includes the young of animals, which belong to the owner of the mother, and the gradual addition to land by alluvial deposits. Artificial accession includes additions, the result of human industry, as buildings or plantations. In Scotch bankruptcy law, when there is a settlement by a trust deed, it is accepted on the part of each creditor by a *deed of accession*.

ACCOLADE, *ak-kol'-de* (Lat., *ad*, to, and *collum*, the neck), a term used to express an ancient mode of conferring knighthood, by the sovereign embracing the neck of the new-made knight. In England, it is generally considered as the slight blow given on the shoulder or cheek, when the honour of knighthood is being conferred. Gibbon calls this blow "the emblem of the last affront which it was lawful for him to endure." It is now given with a sword, a light touch being considered sufficient; but formerly, a sharp blow was given with the bare open hand. Some antiquaries derive the origin of this custom from the blow given to the Roman slave by his master when giving him his freedom.

ACCOMMODATION BILL, *ak-kom'-mo-da'-shun* (Lat., *ad*, to, and *commodum*, convenience), in Commerce, signifies a bill of exchange accepted by an individual for the convenience of the drawer, with whom it rests to take it up when at maturity.

ACCORD, *ak-kord'*, in Law, an agreement entered into, whereby one party consents to receive from another something in satisfaction of a debt, or in recompense for an injury.

ACCUSERS. Cornelius Agrippa, the astrologer of the 16th century, gave this name to the eighth order of devils, whose chief was Asteroth. In the Book of Revelations, Satan is described emphatically as "the Accuser."

ACEF 'ALALI, a name given to several sects which had no recognized head or leader. About the end of the 5th century, a number of persons separated from the rule of the patriarchs of Alexandria, and remained without king or bishop for more than three hundred years. Gibbon mentions them as the Acephali. The name was also given to a class of persons (otherwise described as "levellers") who in this country in the reign of Henry I. were so poor as to have no tenements in virtue of which they could acknowledge a superior lord. There were legends current among ancient naturalists and geographers of the existence of monsters without heads, styled Acephali.

ACERRA, *a-ker'-ra*, a term applied by the ancients to small vessels placed before the altars of the gods, or near the bed of a dead person, in which incense and other perfumes were consumed on it by fire. The name was also given to the temporary altars in the death chamber.

A CHEVAL POSITION, in military tactics, the arrangement of troops so that a river or highway passes through the centre and forms a perpendicular to the front.

ACINACES, *a-sin'-as*, a short sword or scimitar, worn by the ancient Persians. Those carried by the nobles and eminent men were of gold, as a mark of distinction. Herodotus tells us that the Scythians and other semi barbarians worshipped these weapons.

ACLIDES, *ak-lid'-des*, a missile weapon, supposed to have been a kind of dart or javelin, made

use of by the ancient Romans. According to Scaliger, it was a globular weapon, and poised by a wooden stem.

ACCEMETOE, *ak'-e-met-oh* (Gr. for "sheepless"), an order of Syrian monks instituted by one Alexander, about the middle of the 5th century. They celebrated divine service uninterruptedly night and day, dividing themselves into three sections who relieved each other. Their chief place of meeting was a cloister at Constantinople, known as the Studium, from which they were sometimes known as the Studites. They were put down by the Papey about the year 536, having adopted the Monophysite heresy, which affirmed that Christ had only one nature.

ACOLYTE, *ak'-o-lyte* (Gr., *akolouthos*, attendant), in the Romish church, one of the inferior orders of the clergy, whose office it is to attend upon the deacons and sub-deacons in the ministry of the altar, to light and hold the candles, to bear the incense, to present the priests with wine and water, &c. In the primitive church, the acolytes were in holy orders, and ranked next to the sub-deacons; but, at the present time, the duties of the acolyte are often performed by laymen and chorister boys, and sometimes by aspirants to the priesthood, who are consecrated to the office.

ACQUITTAI, *a-krit'-tal* (Fr., *acquitter*, to free or discharge), in Law, signifies a deliverance from a criminal charge. Thus, one who has been upon his trial for the commission of a crime, and is delivered from the charge by the verdict "not guilty" of a jury, is said to be acquitted. Should a person be indicted a second time on the same offence, he may answer the charge by pleading this verdict, termed the plea of "*autrefois acquit*" (acquitted at another time), by which he will be entitled to be set at liberty.

ACQUITTANCE, *a-krit'-tance*, in Law, a written discharge for a sum of money that has been paid. An acquittance in full of all demands will discharge all debts, except such as are on speciality—viz., secured by bonds and instruments under seal. These latter can only be discharged by a deed.

ACROPOLIS, *a-krop'-o-lis*, the highest or chief point of a city. It is generally applied to a stronghold, or citadel on the summit of a rock or hill. The most famous and extensive building of this kind was the Acropolis at Athens. On the summit was the Parthenon, erected by order of Pericles, on the site of an older temple destroyed by the Persians, and completed 438 B.C. It was 278 feet long, 98 broad, and 65 high, in the Doric style. The sculptures of the east and west pediments, and the frieze representing a grand procession, which ran round the building, chiefly the work of Phidias, are considered to have been the finest specimens of Greek sculpture. Many of them, and casts of others, are now in the British Museum. In front of the magnificent edifice was the statue, by Phidias, of Athena Promachus, or the warlike, 46 feet high, of ivory, richly decorated with gold, the gleam of the helmet and spearhead being visible from the sea. Opposite the Parthenon, on the northern edge of the Acropolis, was the Erechtheum, a smaller, but very beautiful temple, of the Ionic order of architecture, containing temples of Athena and Poseidon, and supposed to mark the spot where they contested for the guardianship of the town. The

Propylææ, or vestibules giving access on the western side of the Acropolis, formed a superb building of Pentelic marble, considered a triumph of architecture, and spoken of most enthusiastically by Greek and Latin writers.

ACT, *akt* (Lat., *ago*, I act), a word having separate definite meanings in law, literature, and philosophy. In English law, it implies a statute which has received the assent of the three branches of the Legislature (see STATUTE); in literature, a division of a dramatic work; in philosophy, an operation of the human mind, as an act of the judgment, an act of the will; and, among lawyers, denotes an instrument or deed in writing, serving to prove the truth of some bargain or transaction.

Act of Faith (*acto de fe*), in Spain, a solemn day formerly held by the Inquisition for the punishment of heretics, and the absolution of accused persons found innocent. It was always celebrated on a Sunday or a holiday of the Church.

Act of Parliament. (See STATUTE.)

Act of Bankruptcy.—An act showing insolvency on the part of a debtor, sufficient to bring him within the operation of the Bankruptcy Laws. (See BANKRUPTCY.)

Act of God.—In law, any natural or accidental occurrence, not caused by human negligence or intervention; such as consequences arising from storms or other natural phenomena, loss from which (except in cases of special contract) no party is bound to make good to another.

Act of Sederunt.—In Scotch law, an ordinance of the Court of Session, or Supreme Civil Court of Scotland, for regulating the form of procedure before the Court, in virtue of a power conferred by the Scotch Parliament in 1550. A quorum of nine judges is requisite in passing an Act of Sederunt. Formerly, Acts of Sederunt extended to fiscal and local matters, such as fixing the price of ale, bread, and meat, and the cleaning of the streets, but for many years past they have been limited to matters of legal procedure.

Act of Indemnity. (See AMBUSTION.)

Act of Settlement. (See SETTLEMENT, ACT OF.)

Act of Toleration. (See TOLERATION, ACT OF.)

Act of Uniformity. (See UNIFORMITY, ACT OF.)

ACTION AT LAW, is a right of prosecuting to judgment, in a court of law, a claim for a debt, for damages, for an injury sustained, or a wrong done, or to obtain possession of what the right owner is deprived of. *Real*, or as they were formerly called, *feudal actions*, concerned real property only, whereby the plaintiff (called the demandant) claimed the specific recovery of the estate. *Personal actions* are those whereby a person either claims the specific recovery of a debt or personal chattel, or satisfaction for some injury done to his person or property. *Mixed actions* are those partaking of the nature of the other two, wherein some real property is demanded, and also personal damages for a wrong sustained. The Act of 3 and 4 Will. IV. c. 27, abolished real and mixed actions, except the following:—the writ of right of dower, dower, quare impedit, and curtesy, which subjects will be treated of under their respective titles. Personal actions are founded *ex contractu* (or on contracts), or *ex delicto*, or on torts or wrongs. The latter are often considered as of three kinds—viz., a *nonfeasance*, or the omission of some act which a man is bound to do; a *misfeasance*, being the improper performance of some act which he may lawfully do; or a *malfeasance*, being the commission of some act which is unlawful. The forms of personal actions in use are the following:—*debt*, *covenant*, *detinue*, *trespass*, *trespass on the case*, and *replevin*; for which refer to these different titles. They are also divided into *local* and *transitory actions*. In the former, the trial

must (except as afterwards mentioned) take place in the county, or county of a city or town where in the cause of action arose; in the latter it may be had in any county, or county of a city or town. A judge has the power to direct the trial to be had in any particular place. (*See* **SUIT**.)

ACTS, TEST AND CORPORATION.
(*See* **TEST AND CORPORATION ACTS**.)

* **ADAMITES**, *ad-am-ites*, a sect which arose in the 2nd century of the Christian era, and were so called from their pretending to the innocence of Adam at the time of his creation. They imitated his nakedness in their churches, which they called Paradise, and rejected marriage; living, or pretending to live, in continency. This sect did not last long; but it was revived, with additional absurdities, in the 12th century, by one Tandamus. In the 14th century, a party of male and female fanatics—calling themselves “the brethren and sisters of the free Spirit,” but better known as “Beghards,” corrupted into Picards—appeared in Bohemia, where they occupied a small island in the river Luschnitz, wearing no clothes, and having wives in common. In 1421, Iaska, the leader of the Hussites, almost exterminated the sect, burning many of them at the stake. Very recently, in Austria, it has been discovered that a sect of Adamites exist; but they are of quiet industrious habits, prefer to hold something like Communist doctrines, and if they exhibit the special peculiarities of the Adamites, or the dispensing with clothes, it is in private.

ADAR, *a'-dar*, the twelfth month of the ecclesiastical and the sixth of the civil year of the Jews. It comprehends a portion of February and the beginning of March.

ADDICTI, *ad-dik-ti*, a term among the Romans applied to persons who, being unable to pay their debts, became the slaves of their creditors.

ADDICTION, *ad-dik'-shun*, in the Roman law, was the assignment to another of goods, which goods were called *bona addicta*.

ADDITIONS, in law, are those designations affixed to a person's name by way of title.—*Additions of degree*, are the same with titles of honour.—*Additions of estate*, such as yeomen, gentlemen, &c.—*Additions of mystery or trade*, as baker, mason, &c.—*Additions of place or residence*, as of London, Bristol, &c.

ADIAPHORITES, *ai-di-af'-o-rites* (Gr., *adiaphoros*, indifferent), a name given to Melancthon and the party of which he was the leader, because of their submission upon indifferent points to imperial edicts. The imposition by Charles V., in 1548, of an edict known as the Augsburg Interim, proposing a temporary accommodation of the dissensions between the Protestants and Papists, till the dispute could be decided by a council, was the origin of the name. Flacius and the primitive Lutherans opposed Melancthon in the controversy. The two principal questions debated were—first, whether it was lawful to submit to the opponents of truth, even in unimportant points; and, secondly, whether, granting that it was so, the matters upon which the Interim required submission were unimportant. The point in the edict chiefly insisted on was the doctrine of justification by faith. Melancthon drew up the so-called Leipzig Interim, which declared that certain rites and observances of the

Romish Church, and the jurisdiction of the Roman Catholic bishops, were *adiaphora* (things indifferent). From this controversy other divisions sprang, and from these divisions many of the schisms among Protestants had their origin.

AD INFINITUM, *ad-in-fi-ni-tum* (Lat., *ad*, to, and *infinitus*, unlimited), interminable, without end.

AD INQUIRENDUM, *ad-in-qui-ren'-dum* (Lat., to be inquired into), in law, is a judicial writ commanding inquiry to be made of anything relating to a cause or matter depending in the queen's courts.

ADJOURNMENT, *ad-jur-n'-ment* (Lat., *ad*, to, and *Fr.*, *jour*, a day), putting off a court or meeting to another time or place. Adjournments of parliament differ from prorogations in this—that the houses can adjourn of themselves, but a prorogation is done only by the Sovereign. (*See* **PROROGATION**.)

ADJUDICATION, *ad-joo-de-kai'-shun* (Lat., *ad*, to, and *judico*, I judge), a process known to the law of Scotland. It implies the means by which real property and its accessories are transferred to a creditor by a debtor; from an heir to a devisee; or from a vendor, who may have failed or refused to convey, to the vendee. In English law, it is the declaration of a commissioner in bankruptcy, that a person has become subject to the bankrupt law, and by which he adjudicates him bankrupt accordingly.

ADJUNCT, *ad-junkt* (Lat., *ad*, to, and *junctus*, joined), a term used in Philosophy to signify something added to another thing, between which there is no natural affinity. In the Academy of Paris, adjuncts were members attached to a particular science.

ADJUTANT, *ad'-ju-tant* (Lat., *adjuvare* to help), a military officer whose duties are to assist the commanding officer in all matters relating to the ordinary routine of discipline in the regiment. The office confers no separate rank, but is usually given to one of the subaltern officers.

ADJUTANT-GENERAL, an officer who stands in the same relation to a general that an adjutant does to a major, and is to the army what the adjutant is to a regiment.

Adjutant-General of the Forces.—An officer of high rank in the British Army, to whom all communications regarding recruiting, discharging, leave of absence, and other executive matters are addressed. There are deputy and assistant Adjutants-General for special duties and military districts.

ADMEASUREMENT, *ad-mesh'-ure-ment* (Lat., *admensuratio*, *mensura*, I mete or measure), in law, is a writ which lies in dower. *Admensuratio doli*, where a man's widow, after his death, holds more land as dower than of right belongs to her, or the heir or his guardian do not assign her dower within the term of *quarantine*, or forty days, or assign it unfairly, the writ then goes to the sheriff to assign it.

ADMINISTRATION, *ad-min'-is-tra'-shun*, (Lat., *administratio*, aid, assistance, agency).

In Politics, the persons in a state intrusted with the general superintendence of affairs and the execution of the laws. In England, the term is usually employed to designate the body of ministers, members of the Privy Council, intrusted with the government of the country, including the Prime Minister, the Principal Secretaries of State, President of the Council, Lord Privy Seal, and other high officials. In history, each

administration is known by the name of the Prime Minister: as, the Derby, the Peel, or the Gladstone administrations. Since March, 1801, there have been twenty-six English administrations.

In Law, the office of an administrator is to administer or distribute the goods of a person who has died without making a will, or, having made a will, without appointing an executor; in such cases, letters of administration are taken out of the principal or a district registry of the Court of Probate. Administration is likewise used for managing the affairs of minors, lunatics, &c. In ecclesiastical concerns it means the temporal and spiritual powers of a beneficed clergyman.

ADMIRAL, *ad-mi-ral*, the title of the highest class of naval officers. The word is said to be derived from the Arabic *Emir* or *Amir*, lord or chief, and was formerly spelt "amiral," Milton speaks of a lofty pine as "fit to be the mast of some high amiral." The title was introduced into Europe at the time of the Crusader and was conferred on an English official, William de Lucybourne, "amiral of the seas," in 1289. In the British navy there are three grades in each of these classes—Admirals, who bear their flag at the main-top-gallant masthead; Vice-Admirals, at the fore-top-gallant masthead; and Rear-Admirals, at the mizen-top-gallant masthead. Formerly, there were Admirals of the Red, the White, and the Blue, so called from the colour of the flags displayed by their ships and those of their squadron, and in rank they took precedence in the order named; but the distinctions were abolished by order in Council in August, 1864, and the white ensign was adopted as the sole flag of the ships of the Royal navy. The order of promotion is run from captain to rear-admiral, then to vice-admiral and admiral. The title Admiral of the Fleet is merely an honorary distinction, which gives no command, but only an increase of half-pay; but the number is limited. A full admiral ranks with a general, and one who is actually the commander-in-chief of a fleet, with a field-marshal in the army; a vice-admiral ranks with a lieutenant-general, and a rear-admiral with a major-general in the army. The rates of full or sea-pay of admirals are—admiral of the fleet, £5 per day; admiral, £5; vice-admiral, £4; rear-admiral, £3. An admiral commanding-in-chief receives £3 per day additional at home, and £4 10s. abroad, as "table-money," when his flag is flying within the limits of his station.

Lord High-Admiral of England, formerly an officer of high rank in the State, vested with the government of the navy, and the presidency of a court authorized to hear and determine causes connected with the sea. The office was put into commission from 1708 to 1727, when it was revived and filled by the Duke of Clarence, afterwards William IV. He only held the office for a year and it was again put into commission.

ADMIRALTY, **HIGH COURT OF**, a Court of Law appointed to exercise the judicial functions formerly pertaining to the Lord High-Admiral. The jurisdiction of the Court (and of the Vice-Admiralty Courts in the colonies and foreign dominions of the Queen) was considerably extended by the Act 3 and 4 Vic. cap. 26, and takes cognisance of marine contracts, suits for mariners' wages, for pilotage or collisions, showing unlawful colours, salvage, wrecks, and other maritime matters. Formerly, it had a criminal jurisdiction, but that was practically removed to the Central Criminal Court, and other ordinary tribunals, in 1834. The Admiralty Court of Scotland has been abolished, and its ordinary jurisdiction transferred to the Courts of Session and Justiciary. The Court is now a member of the Probate, Divorce,

and Admiralty Division of the Supreme Court of Judicature. (See JUDICATURE.) Allied to the Court are an Admiralty Registry and a Wreck Commission and Court of Survey for London.

ADMIRALTY, **LORDS COMMISSIONER OF THE**, or the Board of Admiralty, constituted when the office of Lord High-Admiral was in abeyance. There are one First Lord (always a Cabinet Minister and member of one of the Houses of Parliament), three Naval Lords (professional sailors), and one Civil Lord; a First (or Parliamentary) Secretary, a Naval Secretary, a Judge Advocate of the Fleet (legal), and other officers. The principal departments of the Admiralty Office are the Secretary's, Controller's, Constructive and Engineering, Victuallery, Accountant General's, Medical, Transport, Director of Works, Hydrographer's, and Superintendent of Naval Reserves. The Lords of the Admiralty go out of office with a change of administration.

ADMIRALTY DROITS (Fr., *droit*, right, prerogative), certain rights belonging to the Crown by virtue of its prerogative, and connected with the seas: as, proceeds of wrecks, salvage, shares of prizes, &c. The proceeds of the *droits* are now paid into the Exchequer for the public use.

ADMONITION, or **MONITION**, *ad-mo-nish'-an* (Lat., *monere*, I remind), a term used in Eccl. Law to denote the warning given to an offender before excommunication, or to a suitor before proceeding against him *in person contumacie*, or for default.

ADOPTION, *a-dop'-shun* (Lat., *ad*, to, and *opto*, I choose), the act whereby one man makes another not his natural offspring, or next relative, his heir.

ADOPTION CONTROVERSY, a strife which arose in the Church, in Spain, towards the end of the 8th century. The leaders in this controversy were Felix, bishop of Ugel, and Elipandus, archbishop of Toledo, who held that Christ in his human nature was the son of God only by adoption. This doctrine was condemned at an assembly summoned by Charlemagne, at Ratisbon, in 792; at the council of Frankfort-on-the-Maine, in 794; and at the synod of Aix-la-Chapelle, in 799. Before the latter synod, Felix, after a six days' disputation with Alcuin, recanted his view. A similar doctrine was defended by several eminent theologians at various periods between the 12th and 17th centuries.

ADORATION, *ad'-grat'-shun* (Lat., *ad*, to, and *orare*, to pray), a term denoting the act of worshipping the Supreme Being.

ADOREA, *ad-o-re'-a*, a term of various acceptance among the Romans, sometimes signifying grain in general, at others, a kind of cake offered in sacrifice; and again, it was used to denote the gratuitous distribution of corn, whence it became applied to all forms of reward.

AD QUOD DAMNUM, *dam'-num* (Lat., to what damage), in Law, a term applied to a writ issued by the Crown, to inquire whether a royal grant, such as a market, fair, &c., would be to its damage.

ADSIDELLA, *ad'-si-del'-la*, among the Romans, the table at which the flamens sat during the sacrifices. (See FLAMEN.)

ADULT, *a-dult'* (Lat., *adultus*, grown up), in a general sense, a term signifying anything grown up to, or arrived at maturity. It is also applied to that period of human life which extends from manhood to old age.

ADULTERY, *a-dul'-te-re* (Lat., *adulterium*), the voluntary sexual intercourse of a married person with a person other than the offender's husband or wife. By the Mosais law, and in ancient Greece and Rome, there was no adultery unless the female offender was married. The early Saxons burnt the woman and hanged the man over her ashes. Until 1050, adultery was a capital offence in this country. The common law of England now takes no cognisance of the offence, which is punishable only by ecclesiastical censure; but the husband of a woman committing adultery could, previous to the Act 20 and 21 Vic. c. 85 s. 59, try an action for criminal conversation (*crim. con.*) against the paramour and recover damages. By that Act, which declared the law of divorce (*see* DIVORCE), the husband may claim damages from one who has committed adultery with his wife, on a petition for dissolution of the marriage, or for judicial separation, or in a special petition to the Court of Divorce. Adultery on the part of a wife is a ground for divorce; but on the part of a husband must be accompanied by cruelty.

AD VALOREM, *va-lor'-em* (Lat., according to the value), a term used for those duties or customs which are paid according to the value of the goods.

ADVANCED DITCH, OR MOAT, a term used in Fortification, to denote the trench surrounding the glacis or esplanade of a place.

ADVANCE GUARD, OR VANGUARD, is the first line or division of an army, placed in order of battle. It also denotes a party of cavalry stationed before the main guard.

ADVENT, *ad'-vent* (Lat., *adventus*, coming), a term applied by the Christian church to certain weeks before Christmas. Anciently, the season of Advent consisted of six weeks, and this is still the duration of it in the Greek church. In the Romish church, however, and in the Protestant churches that observe Advent, it only lasts four weeks, commencing with the Sunday nearest St. Andrew's day (Nov. 30), either before or after. It is appointed to be observed as a season of devotion, being intended to commemorate the coming of Christ in the flesh, and to direct the thoughts to his second coming. This season was observed with great austerity by the primitive Christians, and the Lutheran church abstains from public recreations and celebrations of marriage during this season. In the Church of England, special lessons are appointed for the four Sundays in Advent. The first Sunday in the beginning of the ecclesiastical year. The earliest historical trace of Advent is found in the fifth century.

Second Advent.—The second coming of Christ. (*See* MILLENNIUM.)

ADVOCATE, *ad'-vo-kat'* (Lat. *advocatus*, one who gives legal assistance), among the Romans, one who pleaded the causes of others. The term is still used in those countries where the Roman law prevails. In the Isle of Man, the practitioners in the local courts, whose duties are analogous to those of a solicitor in England, are styled advocates. In Edinburgh, there is a *Faculty of Advocates*, who constitute the Bar of Scotland.

The *Lord Advocate* is a state officer in that country, who pleads the king's causes. The Advocates' Library, belonging to the faculty, is, perhaps, the third largest in the kingdom, that of the British Museum and the Bodleian only being considered superior.

Advocate Fiscal (Lat. *advocatus*), an officer under the Roman emperors. He pleaded causes belonging to the private treasury.—*Advocatus consistorialis*, officers in the consistory at Rome who plead in cases of opposition to the disposal of benefices.

ADVOCATION, a form of process, in Scottish Law, to remove a case from an inferior to a superior court. It was abolished in 1803, and similar proceedings are now known as appeals from the Sheriff Court. The appeal may be taken within twenty days, and six months from the date of final judgment.

ADVOCATUS DIABOLI, *ad-vo-ca-tus di-ab'-o-li*, the Devil's Advocate. When the Romish Church proposes to canonize any deceased person, an accuser, or devil's advocate, is appointed to make all the objection he possibly can, and show that the person is unworthy of the honour. Another (*Advocatus Dei*, the advocate of God) replies in favour of the deceased.

ADWOWSON, *ad-ven'-son* (Ang.-Nor.), in Eccl. Law, the right of patronage, or of presenting to a benefice. The person enjoying this right is called the patron, who is bound to protect the interest of the church as well as the rights of the incumbent whom he has presented to it.

ÆACEA, *æ-ai'-æa*, Grecian festivals celebrated at Ægina, in honour of Æacus, one of the judges of the invisible world.

ÆDES, *æ-dees* (Lat., a building), in Arch., among the Romans, signified an inferior kind of temple, dedicated to some deity, but not by the augurs.

ÆDILE, *æ-dile* (Lat., *ædes*, a building), the term applied to certain Roman magistrates, who had the superintendence of public buildings, highways, bridges, markets, weights and measures, &c. They had also the charge of the public morals, and the regulation of theatrical performances and diversions. They were four in number, two plebeian and two curule; the former elected from the common people (*plebs*), the latter at first from the patricians, but afterwards from plebeians and patricians promiscuously, and taking their title from their giving judgment on ivory seats (*sedes curules*). Julius Cæsar added two more, termed *ædiles cæresles*, who had the inspection of the granaries. The ædiles had great power in the state, and were allowed to use the robe of honour (*toga prætexta*).

ÆGOMANTIA, *æ-go-man'-shi-a* (Gr., *aitis*, goat, *mantia*, divination), a term used by the ancients to express a mode of divination, in which a goat was the chief performer.

ÆOLIPILE, *æ-ol'-i-pile* (Lat., *Æolus*, god of winds, *pila*, a ball), a hollow ball of metal, to which a pipe is attached. On being filled with water, and placed on the fire, the steam issues from the tube with sufficient force to turn a wheel placed within its power. (*See* STEAM.) Branca, an Italian mechanician of the 17th century, is supposed to be the first who applied the æolipile to useful purposes, but a somewhat similar apparatus was described by Vitruvius in the first century. In Italy, a form of æolipile is used

to one smoky chimney, by creating an upward draught.

ÆON. (See Gnostics.)

ÆRARIANS, *æ-rai'-u-as*, a clan in ancient Rome who had been degraded by the censors. They were heavily taxed, could not vote in assemblies, serve in the army, nor occupy any post of honour or profit.

ÆRARIUM, *æ-rai'-ri-um* (Lat.), among the Romans, the term applied to the place where the public money was kept, the care of which devolved upon the questors.

ÆRIANS, *ai'-ri-ans*, a sect of Christians, formed about 312, followers of Aetius, a presbyter, native of Pontus. They objected to the observance of Easter, Lent, and other festivals and fasts, and to the practice of offering prayer for the dead. Being exposed to persecution, they assembled in woods and caves.

ÆROMANCY, *ai'-e-ro-man-se* (Gr. *man-teo*, I divine), an ancient method of predicting future events from certain appearances in the air.

ÆRUSCATORRES, *æ-rus-ka-to'-res*, a name given by the ancients to those strolling beggars who obtained money by fortune-telling. The term was also applied to the priests of Cybele and the collectors of taxes.

ÆS UXORIUM, *æ-s'-u-ri-um*, a fine imposed on unmarried men at the census or review of the people of Rome. It was first imposed about 403 B.C.

ÆSTR, *æ'-sir*, the plural form of *As*, God, the divinities of the Northmen of Scandinavia and Iceland. (See SCANDINAVIAN MYTHOLOGY.)

ÆTIANSS, *æ'-ti-ans*, followers of Aetius, an Arian heretic of the middle of the 4th century.

ÆTIOLOGY, *æ'-ti-ol'-o-je* (Gr. *ætiæ*, a cause, and *logos*, discourse), in Rhet. a figure of speech, by which the cause of an event are developed in the narrative.

AFFIDAVIT, *af'-fi-dav'-it* (Lat., *affido*, I pledge faith to), in Law, is a statement, in writing, of facts for the information of a court in a cause or matter pending, or about to be commenced therein; or to comply with particular statutes relating to the revenue and otherwise. Any person making a wilfully false statement in it, material to the question or subject which it is intended to support or disprove, is liable to be indicted for perjury. An action for libel will not lie for any defamatory statement contained in it; but the person made subject to the defamation may apply to the court to refer it to its officer to strike out the offensive matter. By the 5 and 6 Will. IV. c. 62, in voluntary and extra-judicial matters, affidavits are superseded by declarations, made before some person duly qualified to administer an oath, any wilfully false statement in which renders the party amenable to the same punishment as for perjury. They are largely used in bankruptcy, also in the administration of the revenue, while in the Court of Chancery evidence is taken chiefly by their means. They must be sworn before a duly qualified Commissioner, but by a law recently passed, any person refusing to be sworn and alleging conscientious motives may be allowed to make a solemn affirmation or declaration instead. By 18 and 19 Vict. cap. 42, affidavits may be made abroad, before any British

ambassador, chargé d'affaires, secretary of legation, consul or consular agent. (See OATH.)

AFFILIATION, *af'-fil'-i-ai'-shun* (Lat., *af*, for *ad*, to, and *filius*, a son). An order of affiliation. (See BASTARD.)

AFFINITY, *af'-fin'-i-ty* (Lat., *af*, for *ad*, to, and *finis*, a boundary or limit), in Law, is relationship by marriage, as *consanguinity* is by blood. Thus, marriage having made husband and wife one person, the relatives of each are regarded as being related by affinity in the same degree to one as they are to the other. But this relationship is only with the married persons themselves, thus a wife's brother has no affinity with a husband's sister. The subject is chiefly important in connection with the laws regulating marriage. (See MARRIAGE.)

AFFIRMATION, *af'-fir-mei'-shun* (Lat., *affirmatio*, from *firmo*, I support), a statement permitted to be made in Parliament, Courts of Law, and other places, instead of an oath, by persons who refuse from conscientious motives to be sworn. In 1697, Quakers were permitted to make affirmations in all cases in the Law Courts, wherein oaths are required from other subjects. In 1833, Joseph Pease, a Quaker, was admitted to Parliament on his affirmation, previously to that time the election of a Quaker having been declared void, because he refused to take the required oath. In 1838, persons who had formerly been Quakers, but had seceded from that sect, were allowed to affirm; and the privilege is extended to Moravians and other religionists; and in 1855, the privilege was extended to all persons who refused to be sworn in courts of law, provided the Judge is satisfied that the objections proceed from conscientious motives.

AFFLATUS, *af'-dal'-tus* (Lat., a breathing on, in a figurative sense, inspiration, enthusiasm), a term denoting the supposed inspiration of particular persons. The phrase perhaps originated in the statement in the second chapter of the book of Genesis that the Lord "breathed into his nostrils the breath of life, and man became a living soul."

À FORTIORI, *for-ti-ô'-re* (Lat., *stronger*), in Logic, is a term employed in a chain of reasoning to denote that what follows is a more powerful argument than that which has already been adduced.

AFRICAN ASSOCIATION, a society formed in London, in 1788, for the purpose of offering encouragement to travellers and scientific men to explore the interior of Africa, to introduce the arts of civilization among the natives, and to study their character and habits. In 1831, the association was incorporated with the Royal Geographical Society.

African Church.—A Christian Church was established at Carthage probably in the second century, and Agrippinus, bishop of Carthage, called a council of bishops about 215. It is supposed the first African bishops were ordained at Rome; but, in the third and fourth centuries, the independence of the African Church was strictly maintained. In the time of Constantine, the church of Africa was divided into provinces, and included also the patriarchate of Alexandria in Egypt. When, in the eighth century, the Mahometans made themselves masters of the north of Africa, the Christian church was overthrown. No church has furnished so many martyrs in proportion to the number of members; and the names of Augustine, Tertullian, Cyprian, and Lactantius are connected with the church of Africa. In recent times, the phrase African Church is sometimes

applied to the colonial Church in South Africa. In 1866, Bishop Gray, of Cape Town, refused to accept the decision of the committee of Privy Council, and established a colonial synod, describing his diocese as the Church of South Africa.

African Methodist Episcopal Church. A body of Christians composed entirely of coloured persons, organized in the United States in 1816. Wilberforce University, Ohio, belongs to this church, which numbers about 380,000 members.

African Company, a society of merchants established in the reign of Charles II., for trading to Africa, formed in 1538. Another company obtained a charter in 1682; and other associations were formed in 1731, 1765, and 1767. The latter, the Royal African Company of England, was remodelled in 1805, but when the expenses of the company had to be defrayed out of the public purse, its charter was recalled by parliament in 1791, and the possessions of the company were transferred to the crown.

African Institution, an association established in London in 1807, for the abolition of the slave trade and the civilization of Africa. Many schools have been established with success, especially at Sierra Leone.

AGA, or **AGHA,** *a'-ga*, a title borne among the Turks by military commanders; also, by the superior officers of the seraglio. It is also employed as a term of respect in addressing land-owners and wealthy men.

AGAPE, *ag'-a-pe* (Gr., love), the love-feast or feast of charity, practised among the primitive Christians, at which time a liberal contribution was made by the rich to feed the poor. St. Chrysostom derives this feast from the apostolical practice. He says, the first Christians had all things in common, as we read in the Acts of the Apostles; but when that equality of possession ceased, as it did even in the apostles' time, the agape or love feast was substituted for it. Upon certain days, after partaking of the Lord's Supper, they met at a common feast, the rich bringing provisions, and the poor, who had nothing, being invited. During the first three centuries these feasts were held without scandal; but later the heathens began to tax them with impurity. The kiss of charity, which used to terminate the ceremony, was forbidden. In consequence of the abuses which had arisen, these feasts were condemned by the Council of Laodicea in 366, and abolished by the Council of Carthage in the year 390.

AGAPEMONE, *ag-a-peu'-o-ne* (Gr., *agape*, love, and *monē*, abode), the abode of love or charity, the name of an institution at Charlynech, near Taunton, founded in 1849, by Henry James Prince, formerly a clergyman of the Church of England. Mr. Prince succeeded in inducing several ladies of fortune to adopt his views, some of whom were afterwards married to his disciples. The "brothers" and "sisters" lived together in a fine house, with drawing-rooms, music-hall, and billiard-room. Prince is addressed as "the Lord," and claims to be a divinely inspired and perfect personage. Some remarkable revelations as to the life of the inmates of the Agapemone were made in the course of legal proceedings in 1850; and Mr. Hepworth Dixon, in his "Spiritual Wives," made an amazing statement on the subject.

AGAPETÆ, *a-ga-pe'-tee* (Gr. *agape*, love), was a name given to certain virgins and widows in the ancient church, who associated themselves with, and attended on, ecclesiastics out of motives of piety and benevolence. The scandal which this gave rise to against the church led to its suppression.

AGATE, *ag'-at* (Gr., *achates*), a semi-pellucid, variegated and microcrystallized variety of quartz, named after Achates, a river in Sicily, whence the Greeks are said to have first procured it. The agate is mentioned in the Old Testament as one of the precious stones in the high priest's breastplate.

AGATHODÆMON, *ag-a-tho-dæ'-mon* (Gr., *agathos*, good, and *dæmon*, a spirit.) (See DÆMON.)

AGE, *aj*, in Law, that time when persons are enabled to do what for want of years they were previously prohibited doing, and when they become responsible for their acts. The age of legal capacity is twenty-one; but it arrives for some purposes much earlier. In criminal cases a person of the age of fourteen years may be capitally punished for any capital offence, but not under the age of seven. At twelve, a male may take the oath of allegiance; at fourteen he is at years of discretion, and may consent or disagree to a marriage contracted before, or choose a guardian. A female may consent or disagree to a marriage at twelve; and at fourteen may exercise the same privileges as a male, except that the latter may be appointed an executor at fourteen, but the female cannot be an executrix till seventeen—neither, however, being qualified to act until twenty-one. An infant above fourteen is liable to suffer for a breach of the peace, riot, battery, or the like, and for perjury or cheating. A tenant of gavelkind lands, in parts of Kent, is of sufficient age to alienate his estate by feoffment at the age of fifteen. The law presumes a child at fourteen to be a competent witness; but if under that age, if it be aware of the nature of an oath, its evidence will be received. No one under twenty-one can serve as a member of parliament, or be admitted to practise as an attorney, solicitor, proctor, or notary public. In the Church of England, no person can be appointed deacon until twenty-three, or priest until twenty-four; a bishop cannot be consecrated before thirty. A contract of an infant may be ratified on attaining the age of twenty-one. Full age in male or female is twenty-one years, which age is completed on the day preceding the anniversary of a person's birth, who, till that time, is an infant, and so styled in law. In Scotland, a *minor*, that is between fourteen and twenty-one, may dispose by will of moveable property, make contracts and carry on trade, with liability to be declared a bankrupt. In France, the marriageable age is eighteen for males and fifteen for females, with a restriction as to the consent of guardians. In the United States, the age qualification for a representative in Congress is twenty-five; for a senator, thirty; and for a president, thirty-five. In Great Britain, the heir to the Crown is, for the purpose of succession, of full age at eighteen. (See INFANCY, GUARDIANSHIP, MARRIAGE, SUCCESSION.)

AGENDA, *ai-jen'-da* (Lat., things to be done), a term applied in the Roman Catholic church to certain offices or services, as, for example—*Agenda matutina et vespertina*, morning and evening prayers; *Agenda diu*, the office of the day; *Agenda mortuorum*, the service for the dead, &c. *Agenda* was likewise applied to the volume containing the ritual or church service of the Romish church. In official and mercantile business, the term is applied to the list of subjects proposed for the consideration of a board-meeting.

AGENT, *ai'-jent* (Lat., *agens*, doing, acting), in Law, as in other matters, is one who conducts the affairs, or is intrusted with the commission of another. He may be constituted either by express appointment or by implication of law, arising from the circumstances in which the parties are placed. In the following cases his appointment must be in writing:—To grant a lease of land for above three years; to create or assign any uncertain interest in land, or (except in copyholds) to surrender the same. An agent for a corporation aggregate must, in general, be constituted, not only by writing, but by deed; and in every case where a deed is to be executed by one man as agent or attorney for another, the agent or attorney must himself be authorized by deed for that purpose. An agency is determined by the death of the principal, or it may be revoked in his lifetime, except in cases where an authority is given in pursuance of a contract with another party. An agent may be *general* or *special*. The acts of a general agent binds his principal, although the agent may violate his private instructions. The power of a special agent is limited by the authority he has actually received. An agent, without special authority, cannot appoint another person to act in his stead. An agent is responsible to his client for the consequences of gross professional ignorance or flagrant negligence. If an agent is employed to sell, he must not be the buyer; if employed to buy, he must not be the seller.

In Diplomacy, a general term applied to several ranks, as envoys extraordinary, and ministers plenipotentiary, ambassadors, ministers resident, *chefs d'affaires*, secretaries of legation, &c. In ordinary language, the principal representative of one power at the court of another is termed the agent of that power at that particular court.

Agent, Army. (See ARMY AGENT.)

Agent, Navy. (See NAVY AGENT.)

AGISTMENT, *a-jist'-ment* (old Fr., license for cattle), a legal term implying the pasturing of a person's cattle in the royal forests. It is also applied to the tax paid for such pasturing. The title of agistment, or title of cattle and other produce of grass lands in Ireland, as abolished by the Act of Union.

AGITATION, a term applied to any great and long-continued public movement for gaining a political result. Thus, we hear of the Repeal Agitation, the Anti-Corn Law Agitation, &c.

AGNATI, *aq-na'i-ti* (Lat., *nascor*, *natus* [originally *gnatus*], born to), the relations by the father, who, by the Roman law, were preferred to the *agnati*, or relations by the mother, till the edict of the emperor Justinian (528 A.D.) abolished all distinctions between them. The *agnati*, or relatives *ex parte paterna*, are preferred in descents to the *agnati*, or relatives *ex parte materna*.

AGNOMEN, *aq-no'-men* (Lat., *ag*, for *ad*, to, and *nomen*, name), a kind of honorary name given by the ancient Romans to a person on account of some distinguishing circumstance in his life. It was the fourth in order of the Roman names; the others being the *prænomen*, corresponding to our Christian name; the *nomen*, or name of the clan; and the *cognomen*, or name of the family; as in Publius Cornelius Scipio Africanus.

AGNOETA, *aq'-noi-te* (Gr., *agnoia*, ignorance), a sect founded about 370 by Theodosius

of Cappadocia; they are said to have doubted the omniscience of God. The name is applied about 530 to the followers of Themistius of Alexandria, who held peculiar views as to the nature of Christ, maintaining that His human nature did not become omniscient by its union with His divinity. The sect was anathematized by Pope Gregory the Great.

AGNOSTICS, a name applied generally to describe those who, without professing atheism, or actual denial of the possibility of the existence of God, consider that his existence is not proved, and therefore not to be accepted as a demonstrated truth.

AGNUS DEI, *ag'-nus di'-i* (Lat., Lamb of God), in the Roman Catholic church, is the name of a prayer in the Mass, introduced by Sergius I., in 638, and beginning with the words *Agnus Dei*. It is also the name of a hymn commencing with these words, sung at the elevation of the Host. *Agnus Dei* is likewise the name given to a round piece of wax, stamped with the figure of a lamb, supporting the banner of the cross. These are distributed among the people, and are supposed to possess great virtues. The baptism and benediction of the *Agnus Dei* is a very solemn ceremony, performed by the Pope himself in the first year of his pontificate, and repeated every seventh year afterwards.

AGONALIA, *ag'-o-na'i-li-a*, festivals celebrated on the 9th of January, 21st of May, and 11th of December, by the Romans in honour of Janus.

AGONISTICA, *ag'-on-is'-ti-ca*. (See DONATISTS.)

AGORA, *a-gol'-ra*, the place used in the ancient Greek towns as a market-place and public resort for social and political purposes, corresponding in some degree with the Roman forum. The name is also given to the assemblies of the people convened by proclamation by a herald. At Athens, ten officers chosen annually and entitled *agoranomoi*, presided over the markets and enforced shipping regulations.

AGRARIAN LAW, *at-grai'-ri-an* (Lat., *agraria lex*, from *ager*, a field, and *lex*, law), a Roman law for the distribution of lands among the common people. The object was only the distribution of lands which were the property of the state; first, to have a check upon the conquered people; secondly, to have a protection against the incursions of an enemy; thirdly, to augment their population; fourthly, to free the city of Rome from an excess of inhabitants; fifthly, to quiet seditions; and sixthly, to reward their veteran soldiers. It contained various provisions: it described the land which was to be divided, and the classes of people among whom, and their numbers; and by whom, and in what manner, and by what bounds, the territory was to be parcelled out.

AGRARIAN STATIONS, among the Romans, were advanced guards placed in the fields.

AGREEMENT, *a-gree'-ment* (Fr., *agrement*), in Law, is where a promise is made on one side, and assented to on the other; or where two or more persons enter into engagement with each other, by a promise on either side. If such contract is by deed, it is called either a contract by deed or a contract by *specialty*; if not by deed,

a parole or simple contract. The latter may be either *written* or *verbal*. An agreement is void if there be no consideration for it, or it be against public policy or morality; and is voidable if obtained by fraud, force, or misrepresentation. The performance of an agreement may be enforced, or the breach of it restrained, by a court of equity, or damages for the breach may be recovered in an action at law. An agreement chargeable with the duty of sixpence may be stamped within fourteen days after date, without penalty; after that period, on payment of a penalty of 20s., if the value of the matter be under £20, or £10 if above. A deed or instrument unstamped or insufficiently stamped may be given in evidence, on payment to the officer of the court of the amount of duty required, and the penalties (if any), together with an additional penalty of £1. (See CONTRACT.)

AGRICULTURE, FESTIVAL OF, a solemnity which, since about the 2nd century of the Christian era, has been observed in China. Processions are organized in all the chief towns of the empire. The emperor, by way of example, engages in some agricultural occupation.

AGRIONIA, *ag-ri-o'-ni-a* (Gr., *αγριον*, rustic, rude), among the ancients, an annual festival in honour of Bacchus, which was usually celebrated during the night at Orchomenus, Boeotia, exclusively by women and priests. When first established, a virgin was killed as a sacrifice; but that practice was afterwards abandoned. According to Plutarch, it was so named on account of the rudeness and intemperance which generally attended its celebration.

AGROTERAS THUSIA, *a-grō ter-as thus'-e-a*, an annual festival at Athens, in honour of Artemis, or Diana, in fulfilment of a vow made by the city, before the battle of Marathon, to sacrifice goats equal in number to the Persians slain. The number was afterwards limited to 500.

AICHMALOTARCH, *aik'-ma-lo-tark* (Gr., *aichmalotarches*, chief of the captives), a title given by the Jews to the prince by whom they were governed whilst in captivity at Babylon. According to the Hebrew writers, he was always of the tribe of Judah. It has, however, been doubted whether such a dignitary held office previous to the 2nd century, when Huna was appointed aichmalotarch.

AID, *aid* (Fr., *aide*), in Law, aids were originally mere benevolences granted by the tenant to his lord, in times of difficulty and distress; but, in process of time, they grew to be considered as a matter of right, and not of discretion. These aids were principally three:—1. To ransom the lord's person, if taken prisoner; 2. To make the lord's eldest son and heir-apparent a knight; 3. To marry the lord's eldest daughter, by giving her a suitable portion. Aids were abolished in the reign of Charles II.

AIDE-DE-CAMP, *aid'-de-kon(y)*, a military term taken from the French, and denoting an officer employed to receive and convey the orders of a general. In garrison and quarters he acts as private secretary, and frequently superintends the household affairs. The aide is rarely of higher rank than captain, and must be of two years' service. The Sovereign has many aides-de-camp, some honorary, but the greater number appointed as a reward for eminent services, and receiving

the rank of full colonel. There are also naval aides-de-camp in attendance on the Sovereign. The Lord Lieutenant of Ireland and colonial governors also have aides-de-camp.

AIDE-TOI, ET LE CIEL T'AIDERA (Fr., "Help yourself, and heaven will help you"), the name chosen by a French political society in 1824, the object of which was to oppose the government by publications and other legitimate means. Guizot was for some time president, and most of the active members belonged to the party known as DOCTRINAIRES. The organ of the society was *Le Globe*, and afterwards *Le National*. The revolution of 1830 was in a great measure due to the action of the "Aide-toi" society, which was dissolved in 1832.

ALARAF, *a-la-raf*, is the name given by Mahometans to the wall which they say divides heaven from hell.

ALARES, *a-lai'-res*, in ancient Rome, a kind of militia; but, according to some, they were the cavalry, stationed at the two wings or *alæ* of the army.

ALB, *alb* (Lat., *albus*, white), an ecclesiastical vestment of great antiquity, made of white linen, of sufficient length to hang down to the heels, girded at the loins, and embroidered at the foot. The surplice worn by the English clergy is a modification of it, but has wider sleeves. In the ancient church, the newly-baptized persons wore a white vestment or alb for the eight days following; whence the Sunday upon the eve of which the catechumens received baptism came to be called *Dominica in albis*, or White Sunday. (See WHITSUNTIDE.)

ALBIGENSES, *al'-bi-ge'-ses*, was a common name given to the different sects that existed in the South of France in the latter half of the twelfth and beginning of the thirteenth century. They differed among each other in their particular tenets, but agreed in denying the authority of the Pope in spiritual matters, and in opposing the discipline and ceremonies of the Church of Rome. They were so called from the town of Albi, in the district of Albigeois, in Languedoc (now included in the department of Tarn), in the neighbourhood of which they were most numerous. In 1163, Alexander III. published a decree against these sects in a council at Tours, and another in 1179. On the accession of Innocent III. to the papal chair, in 1198, he sent two Cistercians, Rainer and Guido, to proceed against the heretics. They were to endeavour to convince them by arguments, and, if these failed, to pronounce the ban upon them. Their goods and property were to be confiscated, and themselves banished from the country. These proceedings, however, were followed by little success; and the assassination, in 1208, of one of the Pope's delegates, Peter of Castelnau, who had rendered himself odious by his cruelties, gave rise to many years of a most bloody war, in which the worst outrages of fanaticism and cupidity were practiced against the inhabitants of these districts. Raymond VI., Count of Toulouse, was leader of the Albigenes, and Simon, Count of Montfort, commanded the expedition against them. At the taking of Beziers, it is said that 60,000 of the inhabitants were put to the sword; and it is asserted that Arnold, abbot of Cîteaux, one of the Pope's legates, when asked how they were to distinguish the heretics from true Catholics, replied,

"Kill all, God will know his own." Montfort lost his life at the siege of Toulouse, in 1218, and Raymond, his adversary, died in 1222. The war was prosecuted by their successors, until Raymond VII., pressed on all sides, was obliged to make peace in 1229, giving up two-thirds of his estates to the king, promising submission to the Pope, and paying a large sum to the Church. When peace was obtained, the Inquisition was established at Toulouse, and those who escaped from the sword died by the hands of the Inquisition. By the middle of the 13th century the Albigenes, as a body, were extinct; but a few contrived to escape, and settled in Bosnia.

AL-BORAK, *al bo-rak'* (Arab., shining whiteness), the name given, in Mahometan tradition, to an imaginary animal which was said to have carried Mahomet upon his journey from Jerusalem to the heavens.

ALCAIDE, or **ALCAYDE**, *al-kaid'*, a Spanish word, derived from the Arabic *kaid*, to lead or govern, and used by the Moors, Spaniards, and Portuguese for a governor, usually of a fortress or castle.

ALCALDE, *al-kal'-dai*, is, in Spain, the title of a judge or magistrate appointed by the government, or elected by the towns, to administer justice within a certain district.

ALCANTARA, KNIGHTS OF, *al-kan-ta'-ra*, an order of Knighthood of Spain, uniting both religious and military duties. The order was at first named St. Julian, founded in 1156 as a defence against the Moors, and about forty years afterwards changed by Pope Celestine III. with the defence of the Christian faith and maintenance of eternal war with the infidel. In 1213, the town of Alcantara having been taken by Alphonso IX., was confided to the care of the Knights of St. Julian, who thereupon changed the name of their order. In 1495, the grandmastership was united with the Spanish crown. The Knights take the vows of obedience and poverty, but not of celibacy; must be able to prove four generations of nobility, and are specially bound to defend the immaculate conception of the Virgin. The order is still richly endowed.

ALCAVALA, *al-ka-va'-la*, in Com., a custom-house duty paid in Spain, on imported goods, at the rate of 5 per cent. upon the value of the commodity.

ALCORAN, or **KORAN**. (See **KORAN**.)

ALDERMAN, *awl'-der-man*, a term derived from the comparative degree of the Ang.-Sax. word *eald*, old, and *man*. Earls, governors of provinces, and other persons of distinction, were generally termed aldermen by the Anglo-Saxons. The title is now applied to certain magistrates or officers in municipal corporations. By 5 and 6 Will. IV. c. 76, and 3 and 4 Vic. c. 118, the resident burgesses of municipal corporations in England and Wales elect councillors, who, from their own numbers choose a certain number of aldermen, who hold office for six years, one half going out every three years. One fourth of the municipal council consists of aldermen, and three fourths of councillors. In Ireland, the aldermen are elected directly by the burgesses. In Scotland, there are no aldermen, but the bailies hold a similar position. In the corporation of London, which was not affected by the above Act, there are twenty-six aldermen, including the lord-

mayor, twenty-five of whom are elected for life by such freemen as are householders in the twenty-five wards. The twenty-sixth alderman, who belongs to the dependency of Southwark (or ward of Bridge Without), is appointed by the other aldermen. The aldermen act as magistrates for the City of London, and constitute a separate court, besides being members of the Court of Common Council. The lord mayor is always an alderman.

ALE-CONNER, *kon'-ner*, ale-kenner, or one who kens or knows what good ale is. The office is of great antiquity. Ale-conners and ale-tasters were chosen every year in the court-leet of each manor. Similar officers were appointed in towns and boroughs.

ALEHOUSES, houses in which ale and beer are sold. As early as the year 1496 the inconveniences arising from the assemblage of numbers of riotous persons, and of the excessive drinking in alehouses, became so great as to make them the subject of legislation; and many Acts of Parliament regulating alehouses have been passed at various periods. In 1528, a general Act was passed (9 Geo. IV. c. 61), which repealed all former statutes on the subject. Since then various regulations have been made, of which the following are the most recent and important. By the 3 and 4 Vict. c. 61, a license can only be granted to the real occupier of the house in which the beer or ale is to be retailed, and every person applying for a license must produce a certificate from the overseer of his being the real occupier of the house. Licensed victuallers and keepers of beer shops who sell ale to be drunk on the premises, are liable to have soldiers billeted upon them. The 11 and 12 Vict. c. 49, and the 18 and 19 Vict. c. 118, regulate the sale of beer and other liquors on Sundays, Christmas-day, and Good Friday. In 1860, some alterations were made in the law.

ALECTRYOMANCY, *a-tek'-tri-o-man'-se* (Gr., *alektrion*, a cock, *numeria*, divination), among the ancients, a mode of divination by means of cocks. It was performed by writing the twenty-four letters of the alphabet in the dust, upon each of which a grain of corn was laid. A cock was then let loose among the letters, and those out of which the bird picked the corn being joined together, were supposed to disclose what was required to be known. In this practice may have originated the vulgar phrase, "I am cock sure of it."

ALEXANDRIAN SCHOOL. When ancient Greece lost her glory and independence, literature and science found a refuge in Alexandria, under the munificent patronage of the Ptolemies. Ptolemy Soter, or his successor Ptolemy Philadelphus, established at Alexandria a *Museum*, whither learned men were invited from all parts, and maintained at the public expense, with every facility for cultivating the various branches of literature and science. At first it was principally distinguished as a school of grammar and criticism, producing correct editions of the ancients, and writing learned commentaries upon them. In poetry, the writers of this school are distinguished for correctness, purity, and elegance of style; but the more important part, the spirit and genius which characterised the earlier poetry of the Greeks, is almost entirely wanting. In philosophy, the Alexandrian school was a species of eclecticism. In the mathematical and physical

sciences this school became very distinguished, having such men as Euclid, Apollonius, Eratosthenes, and Ptolemaeus, the geographer. After the subjugation of the Ptolemaic dynasty by the Romans, about 30 B.C., the intellectual activity of the Alexandrian school was exerted in other directions. There was in fact a new Alexandrian school which combined a study of the New Platonic philosophy, and the theology of the early Church fathers, and existed nearly 700 years. (See NEW PLATONISTS.)

ALFET, *al'-fet*, among the Anglo-Saxons, a cauldron of boiling water in which a person accused of a crime thrust his arm up to the elbow and held it there some time, as a trial of his innocence; if he was hurt, he was held guilty, and if not, acquitted.

ALGUACIL or **ALGUAZIL**, *al-gwa-theel'*, in Spain, is the general name of officers for the apprehension of criminals, derived from the Arabic *muallim*, authority derived from the King. The alguacil-mayor is a higher officer, with similar functions.

ALIAS, *al'-has* (Lat., otherwise), a word used to denote a name or title that has been assumed by, or accidentally given to a person; as, Smith, *alias* Jones. An alias may be assumed by any one, but does not absolve him from the responsibility of an act committed under his assumed name. It is also a second writ issued from the division of the High Court of Judicature, where the first has been issued, and returned without effect.

ALIBI, *al'-i-bi* (Lat., elsewhere), is a term used to express that defence in a criminal prosecution, where the party accused, in order to prove that he could not have committed the crime charged upon him, offers evidence that he was in a different place at the time of its commission.

ALIEN, *al'-li-en* (Lat., *alienus*, another man's, of another country), generally speaking, is one born in a foreign country, out of the allegiance of the king or other executive of that in which he is for the time resident or staying, and more particularly any one who does not enjoy the privileges of a British subject. It seems to be a rule of the general public law that aliens can be sent out of the realm by an exercise of the prerogative of the crown; but in modern practice a special Act of Parliament is generally passed for the purpose. The chief disabilities to which aliens have been subjected are incapacity to hold landed property, and incompetency to exercise political privileges. Aliens were also excluded from sitting on juries. Aliens belonging to a country actually at war with Britain are termed alien enemies, and can neither themselves nor by assignees sue for damages in this country save by special license from the Queen, so long as hostilities continue. No British ship can be owned by an alien. Most of the Acts of Parliament passed within the last two centuries with regard to the Alien Laws have been repealed by the Naturalization Act of May 12, 1870—33 and 34 Vic. c. 14. By this Act aliens are enabled to take hold and dispose of real and personal property of all kinds (except British ships) and to transmit a title to land, as though natural-born subjects. They are not however qualified for any municipal or other franchise, nor admitted to any rights of a British subject as regards property other than those mentioned. Masters of vessels are still bound by law to intimate the arrival of all aliens

who are bound to have their names registered and to obtain certificates of registration. A married woman is held to be a citizen of the state to which her husband for the time being belongs; natural-born British women becoming aliens by marriage can, on becoming widows, be re-habilitated by certificate from the Secretary of State, and the children of such are thereby naturalised. Children are held in all cases to be citizens of the country in which their parents are naturalised. For the removal of disabilities of aliens see DENIZATION, NATURALISATION.

Alien Priories. After the Norman Conquest, foreign priories having had English estates conferred on them, established subordinate priories in this country, for management of the lands and collection of rents. In the reign of Edward III, there were 110 priories of this kind in England. In 1374, a law was passed by which they were dissolved and granted to the Crown.

ALIENATION, *al'-li-en-ah-shun* (Lat., *alienatio*, *alieno*, to alienate, pass away, discard), in Law, any method whereby estates are voluntarily resigned by one party and accepted by another, whether it be by sale, gift, marriage settlement, devise, or other transmission of property, by the mutual consent of the parties.

ALIMONY, *al'-i-mo-ni* (Lat., *alimonia*, sustenance), is a provision made for the support of a wife out of her husband's estate, when a decree has been obtained at the wife's instance for judicial separation or dissolution of marriage. By the Divorce Act, 20 and 21 Vic. c. 85 s. 12, the Court of Divorce may order the husband to secure to the wife a sum of money, in gross or by annual payments, for any term not exceeding her own life, or, having regard to her fortune, the ability of her husband, and the conduct of the parties, it shall deem reasonable, and to enforce this by deed. The court has also the power, pending the suit, to make interim orders for payment of money to the wife, by way of alimony or otherwise. If the suit be instituted by the husband, the court can suspend its decree until the provision be secured.

ALKORAN. (See KORAN.)

ALLAH, *al'-la* (Arab., al, the, and lah, worthy the adored), is the Arabic name of the Supreme Being, which, through the Koran, has been adopted by all nations that have embraced the Mohammedan faith.

ALLEGIANCE, *al'-le-giance* (old Fr., from Lat., *ad legem*, to bind to), is the natural, lawful, faithful obedience which every subject owes to his prince. It is either perpetual, where one is a subject born, or has the right of a subject by naturalization, &c.; express, which is that obligation which arises from an expressed promise or oath of allegiance; or temporary, by reason of residence in the state or country. To subjects born, it is an incident inseparable, and as soon as born, they owe, by birthright, obedience to their sovereign; and it cannot be confined to any kingdom, but follows the subject wherever he goes; but, by the provisions of the Naturalization Act (33 Vic. cap. 14), allegiance may be renounced by a declaration of abjuration, and it is forfeited by the acceptance of allegiance to a foreign state. The subjects are hence called *liege people*, and are bound by this allegiance to go with the king to his wars as well within as without the kingdom. By the law of England, and agreeably to the spirit of the constitution, as usurper in undisputed possession of the crown,

or king *de facto*, is entitled to allegiance, because he then represents, not the sovereign whom he has dispossessed, but the general will in which the ultimate sovereignty resides.

Oath of Allegiance is an oath of fidelity to the sovereign, taken by all persons holding public offices; and by common law any subject may be called upon to take it. It was first imposed by statute in the first year of the reign of Elizabeth; but the form has been altered since. The present form is—"I do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors, according to law, so help me God."

ALLIANCE, *al-l'i-ance*, a league between two or more friendly powers. An alliance may be either offensive and defensive or defensive only. Politicians divide them into three classes—those in which the allied states undertake to prosecute a war with their whole force; those in which auxiliary states furnish a principal state with a certain fixed contingent of men, arms, money, &c.; and those in which one power undertakes to furnish troops to another power for stated subsidies. (See **TREATY**.)

ALLOCUTION, *al-lo-ku'-shun* (Lat., *al*, for, *ad*, to, and *locutio*, a speaking), is an address, usually of a formal nature, and particularly applied to an address delivered by the Pope at the College of Cardinals, on matters of importance to the Church.

ALLODIUM, *al-lo'-di-um* (Lat. from the Ger. particle, *al*, all, and *al*, properly). When the barbarous nations had invaded the Roman empire, the vassal's estate became certain for life, then went to all his descendants. Opposed to feudal property, is allodium, which is a possession held in absolute independence, without any acknowledgment of a lord paramount. There are no allodial lands in England, all being held, either mediately or immediately, of the queen. Allodium obtained among our Saxon ancestors, and gave birth to gavelkind (which see). Allodial tenure exists in Orkney and Shetland.

ALL SAINTS' DAY (in old English, *All-Hallows*, *All-Hallowmas*, or simply *Hallowmas*), a festival of the Church, celebrated on the 1st of November, in commemoration of all the saints in general. The saints had become so numerous in the Church, that a day could not be set apart for each of them; in fact, there were not days enough in the year for that purpose; and hence, in 835, Pope Gregory IV. set apart the 1st of November for all such as had not special days for themselves. The choice of the day was perhaps influenced by the fact that the eve preceding was one of the four great festivals of the northern nations, it being the policy of the Church to supplant heathen by Christian observances. (See **BELTANE** and **HALLOW-EVE**.)

—ALL SOULS' DAY, a festival of the Church, held on the end of November, for the souls that are suffering in purgatory. It was first instituted at Cluny, by Odilo, abbot of that place, towards the end of the 10th century, and soon came to be observed by the Church generally. It has not been observed by the English Church since the Reformation. Until recently, it was customary among the peasantry of the west of England to give children "soul-cakes," or buns, on this day.

"**ALL THE TALENTS**," a name applied

externally to the second Grenville Administration, formed in January, 1816, which included several politicians of the very highest ability.

ALLUVION, *al-lu'-vion* (Lat., *ad*, to, and *luo*, I wash upon—an accretion), in Law, is where land is gained from the sea by the washing up of sand and earth, so as in time to make *terra firma*. By the English law, if the addition thus made be by small and imperceptible degrees, it is the property of the owner of the land immediately behind; but if by a sudden and considerable acquisition from the shore, it is the property of the Crown. The Scotch law does not recognize the right of the Crown in such cases.

ALMONER (formerly called *almatour*), *al-mo-ner* (Fr., *aumoner*, to pay a fine for the poor), in the primitive sense of the word, denoted an officer in a religious house, to whom belonged the management and distribution of the alms of the house. The Almoner (*le Grand Aumoner*) of France was the highest ecclesiastical dignitary in that kingdom before the Revolution.

Lord Almoner, or Lord High Almoner of England, is an ecclesiastical officer, generally a bishop, who had formerly the forfeiture of all deadlands (which are now abolished), and the goods of *felos-de-se*, which he was to distribute amongst the poor, and his office was to give the king's alms every day. He also had the power of giving the first dish from the king's table to whatever poor person he pleased. (See **MAGNIFY THURSDAY**.)

Hereditary Grand Almoner. —Formerly an office of dignity at the English Court, before the time of Richard II. vested in the Beauchamp family, and afterwards in the Earls of Exeter.

ALMSHOUSE, an edifice, or collection of tenements, erected generally by a private individual, and endowed with a revenue, for the maintenance of a certain number of poor, aged, or disabled persons.

AL SIRAT, *se-rat'* (Arab., the path), according to the belief of some of the Mahometan sects, is the name of the bridge which spans Hades, and over which every one must pass in order to enter Paradise. It is said to be as narrow as the edge of a razor. Those who are unencumbered with the weight of sin may pass over it with the rapidity of a steed in full course; but those whose iniquities bear them down, will tumble from it into the infernal depths beneath.

ALOA, *al-o'-a*, certain festivals celebrated at Athens in honour of Bacchus and Ceres, at the time of harvest, when the first-fruits of the earth were offered to the god or goddess. The term was derived from *alos*, a barn; whence Ceres came to be called *Alous*, that is, a filler of barns.

ALTAR, *awl'-tar* (Lat., *altare*), a place erected to offer sacrifice upon. The first altar of which we have any notice in Scripture was that erected by Noah when he quitted the ark. In the tabernacle, and afterwards in the Temple, two altars were erected, one for sacrifices the other for incense. The table for shewbread is also sometimes called an altar. In the Roman Catholic Church, the altar is the stone table at which the sacrifice of the Mass is celebrated; and among Protestants some High Churchmen give the name to the communion table, as it is styled by the evangelical members of the Church.

Altar-Piece, is a painting in churches, placed over the altar or communion table. They seem not to have been introduced until about the end of the 4th century. Some of the masterpieces of the greatest painters, especially of the Italian and Flemish schools, were altar-pieces for the cathedrals and other churches.

Altar-cloth, a covering, generally richly embroidered, spread over the table, but in Protestant churches hidden by a white linen cloth when the celebration takes place.

AMAZONS, *am'-a-son* (Gr., *a*, without; *mazos*, the breast), fabulous female warriors, famous for valour, and said to be inhabitants of the Caucasus; so called from their cutting or burning off the right breast to give greater freedom to the use of the bow. The Greek legends say that, for the purpose of preserving the race, the Amazons held occasional intercourse with the men of the neighbouring states; but male children were destroyed or sent to their fathers, and the girls trained as warriors. Old sculptures represent combats between the Greeks and Amazons. The ancients mention three nations of female warriors. The Asiatic Amazons, the Scythian Amazons, and the African Amazons, which last were annihilated by Hercules. The King of Dahomey, in Western Africa, has a body guard of female warriors. It was at one time believed that the name of the great river of South America, the Amazon, was given by the early discoverers because there were tribes of female warriors in the adjacent country; but the name is really derived from the Indian word *Amassona*, "boat destroyer."

AMBARVALIA, *am-bar-val'-le-a* (Latin, *ambus*, and *areva*, to round the field), an annual festival celebrated in ancient Rome on the days ending in the month of May, to promote the crops and the hope of obtaining a good harvest. An agriculturist led a bull, a sow, and a sheep round the field, while the labourers sang hymns to the goddess, and the animals were afterwards sacrificed. Some ecclesiastical writers think that the Rogation or perambulation festival of the Roman Catholic Church originated in this ceremony. (See *ROGATION*.)

AMBASSADOR, *am-bas'-sa-dor* (Fr., *ambassadeur*), an agent sent by one sovereign power to another to treat on affairs of state and matters affecting the interests of his country. Ambassadors are the highest order of diplomatic ministers, and are of two kinds: those who reside regularly at the court to which they are accredited, and those who are sent there on a special occasion, the latter being styled "ambassadors extraordinary." The duties of an ambassador are to watch over the interests of his own country at the foreign court; to negotiate for treaties and alliances; to enforce the performance of existing treaties, to protect his countrymen from injury or injustice, and to aid them in case of need. Ambassadors, together with their families and suites, enjoy perfect security of person, and their property is protected against all legal process, and they are usually, also, exempted from custom duties and from all taxes, and are allowed the free exercise of their religion; but must respect the laws and customs of the country in which he resides, otherwise the Sovereign to whom he is accredited may dismiss him. Great Britain has ambassadors in Austria, France, Germany, Italy, Russia, and Turkey. Other diplomatic representatives are styled **MINISTERS PLENIPOTENTIARY**, or in small states, **CHARGÉS D'AFFAIRES**. All diplomatic representatives enjoy the same privileges as ambassadors; except that the latter have the right of direct personal access to the Sovereign to whom he is accredited, the former only through the medium of the Secretary of State for Foreign

Affairs. Resident embassies originated in Europe in the 15th century.

AMBO, *am'-bo* (Gr., *ambon*, from *anabaino*, I go up), a reading desk or platform placed in the nave of the early Christian churches, and ascended by flights of steps on the east and west sides. The lessons of the day were read from it, and sometimes it was used by the preacher. In modern churches it is represented by the reading desk and pulpit.

AMBROSIA, *am-bro'-she-a* (Gr., *a*, not, and *brotos*, mortal), in Greek and Roman Mythology, the name given to the food of the gods, as distinguished from *nectar*, which was their drink. It was supposed to endow them with eternal youth and immortality; and mortals who were permitted to partake of it were in some measure assimilated to the gods.

Ambrosia, the name of certain festivals observed in Greece in honour of Bacchus, during the vintage.

AMBROSIAN RITUAL, a liturgical form still in use at Milan, and traditionally ascribed to St. Ambrose. The clergy of Milan refused to accede to the wishes of Pope Nicholas II., and the Emperor Charlemagne to establish a uniform liturgy.

AMBRY, *am'-bry* (Lat., *armarium*, a store-house, locker, cupboard), the place where the arms, plate, vessels, and everything which belonged to house-keeping, were kept; a niche in the wall of an old church or a cabinet, in which the vestments and the vessels for the service of the mass were kept.

AMBULANCE, *am'-bu-lans* (Lat., *ambulo*, I walk), a term derived from the French, and applied to those moving hospitals which accompany every army, or division of an army, in the field, furnished with all the requisites for the succour of the sick or wounded. It is also applied to the waggons or carts provided for conveying the wounded from the field of battle. The latter are termed by the French *ambulances volantes*, and were first introduced in 1793, by Larrey, the celebrated French military surgeon. During the Crimean war, ambulances mounted on the pack-saddles of mules were used, and improved ambulance-carts were constructed and sent out to the Crimea. An Ambulance Corps was formed; but it has been superseded by the Army Service Corps.

AMBUSCADE, *am'-bus-kaid*, a term derived from the Italian *imboscare*, to lie in bushes or concealed, and signifying the lying in wait or in concealment of a body of troops to attack an enemy unawares.

AMEN, *ai'-men*, a word derived from the Hebrew, and signifying, properly, firm or faithful. In the beginning of a sentence, it is used by way of emphasis, as, "verily;" or "truly;" and at the end, especially of prayers or hymns, it signifies "so be it." The word is used both in the Old and New Testaments in the sense of an assurance of truth; and once as a name of the Divine Person.

AMENDE HONORABLE, *a-mand' hon'-o-rabl'* (Fr.), a kind of punishment inflicted in France upon traitors, parricides, or sacrilegious persons. It was thus inflicted; the offender being delivered into the hands of the hangman, he was stripped of his shirt, and a rope put about his neck, and a taper in his hand; he was then led into court, where he was obliged to beg pardon

of God, the king, the court, and his country. Sometimes the punishment ended here; but sometimes it was only a prelude to death or banishment to the galleys. In the language of modern society, *amende honorable* is taken to signify a voluntary apology, from a sense of right, for a misrepresentation or injury.

AMENDMENT, *a-men-d'-ment* (Lat., *emendatio*, an emendation or strengthening), in Law, is the correction of an error in the process, which may be amended, even after judgment.

In Politics. (See BILL IN PARLIAMENT.)

AMENITIES, *a-men'-theis* (the hiding), in Egyptian mythology, the unseen world, where the souls of men are judged by Osiris.

AMERCEMENT, *a-mer'-ment*, a fine assessed for an offence committed, or pecuniary punishment at the "mercy" of the court; thus differing from a fine directed and fixed by statute.

AMERICAN CONGRESS. (See CONGRESS.)

AMERICAN STAMP ACT. (See STAMP ACT.)

AMICUS CURIAE, *a-mi'-kus ku'-ri-e*. It not unfrequently happens that a counsel, not retained in a cause before the court, mentions some case within his knowledge which has been decided, bearing on the point under discussion, or makes a suggestion in aid of the argument. He is then styled *amicus curiae*, or friend of the court.

AMMUNITION, *am'-mu-nish'-un* (Lat., *munitio*, a fortification), is a term formerly applied to all warlike provisions, but now limited to shot, shell, powder, fuses, and other projectiles and explosive substances. The ammunition for the British army and navy is chiefly prepared at the Royal Laboratory, Woolwich. The chief kinds of ammunition will be found described under the headings BULLET, CARTRIDGE, FUSE, PROJECTILES, ROCKET, SHELL, SHOT.

Ammunition Wagon, a vehicle expressly constructed for supplying troops with ammunition. It will carry 20,000 rounds of small arms ammunition, and is drawn by four horses. Several wagons are organized into an "equipment," under the charge of a detachment of Artillery.

AMNESTY, *am'-nes-te* (Gr., *amnestia*, forgetfulness of wrong), is an act of oblivion, by which crimes and offences against the government up to a certain time are so obliterated that they cannot again be brought against the guilty parties. An amnesty may be either absolute or it may be limited, excepting certain persons or classes of persons; as the Act of Indemnity passed on the accession of Charles II., which excluded the persons actually concerned in the execution of his father. The last Act of amnesty passed in Great Britain was 20 Geo. II. c. 52, which proclaimed a pardon to those who had taken part in the insurrection in favour of the Young Pretender, in 1745.

AMORTIZATION, *a-mor'-ti-zei'-shun* (Lat., *amortizatio*, in Law, an alienation of lands or tenements in mortmain, viz., to any corporation or fraternity and their successors. (See MORTMAIN.)

AMOS, PROPHECIES OF. (See BIBLE.)

AMPHICTYONIC COUNCIL, *am'-fik-ti-on-ik*, a politico-religious court of ancient Greece, said to have been founded by, and to have taken

its name from the legendary Amphictyon, son of Deucalion; but, according to Strabo, it was instituted by Acrisius, king of Argos. It was probably at first a religious assembly, but it subsequently came to be of great political importance. It was composed of two representatives from each of twelve Greek states, who met twice a year (in the spring in the temple of Apollo at Delphi, and in the autumn in the temple of Ceres, at Anthela, near Thermopylae) for the purpose of protecting their common interests, and preserving their religious institutions. As individual states became powerful, and strove for the first rank, the influence of this council declined, and in the time of Demosthenes it had ceased to command respect. The Council existed, but with little influence, until the second century of the Christian era.

AMPHORA, *am'-fo-ra* (Gr., *amphoreus*, from *amphi*, on both sides, and *phero*, I carry), an antique name of a vessel commonly of earthenware, so called from having a handle or ear on each side of the neck. Its form and size varied, but it was usually long and narrow, frequently about 2 or 2½ feet in height, by about 6 inches in diameter, terminating at the lower extremity almost in a point, to admit of insertion into a stand or the earth, in order to keep it upright. It was generally used for preserving oil, wine, honey, grapes, or other fruits; but also as cinerary urns. Homer mentions amphoræ both of gold and stone, and in later times glass amphoræ were not uncommon. Earthen amphoræ of the Roman period have occasionally been found in England.

AMPULLA, *am-pul'-la*, the Latin name of a bottle or jar for the preservation of liquids. In the early times of the Church it was applied to the vessels containing the consecrated oils. *La sainte ampoule*, the holy ampulla of Rheims, was believed to have been brought by a dove from heaven for the anointing of Clovis, King of the Franks, at his coronation in 496. Every succeeding King of France was anointed from this ampulla. At the coronation of the Sovereign of Great Britain, an ampulla is used. The ceremony, on the occasion of the coronation of Queen Victoria was thus prescribed: "The anthem being concluded, the Dean of Westminster, taking the ampulla and spoon from off the altar, holdeth them ready, pouring some of the holy oil in, the spoon, and with it the Archbishop anointed the Queen in the form of a cross."

AMULET, *am'-u-let* (Arab., *hamalet*, something suspended), is an object hung round the neck, or carried otherwise about the person, as a charm from accidents, diseases, witchcraft, &c. Amulets are usually composed of stones, metals, or plants; sometimes sentences or words, arranged in a particular order. From the Chaldeans and Egyptians they passed to Greece and Rome; and that they prevailed in the early Christian church we learn from the frequent denunciations against them. Even at the present time, in some parts of England, faith in the virtue of certain charms has not entirely ceased. (See CHARMS.)

ANABAPTISTS, *an-a-bap'-tists* (Gr., *ana*, again, and *baptizo*, I baptize), a term applied generally to such Christians as hold that baptism is only to be administered to adults, and insist upon the necessity of a second baptism to all who join their communion. The name, however, is historically applied to a sect of religious fanatics that sprang up in Germany soon after the com-

menacement of the Reformation. Not only did they insist upon re-baptism, but they pretended to divine revelations, and held many absurd or dangerous heresies, as independence of all civil authority, equality of rank, community of goods, plurality of wives, &c. The leader of this sect was one Thomas Münzer, a pastor in Alstedt, in Thuringia, who, after having adopted the principles of the Reformation, turned aside to these heresies. He subsequently went to Waldhut, on the borders of Switzerland, which became the chief seat of the body; whence their doctrines spread through Switzerland, Westphalia, Holstein, and the Netherlands, in spite of the severest persecutions. The outbreak of "the peasants' war," in Franconia, in 1525, fell in with their views, and, in a battle which was fought soon after, Münzer was taken prisoner and slain. The sect, however, still continued to gain ground, and, in 1532, a body of them, under John Matthiesen, a baker of Haarlem, and John Bockhold, a tailor, of Leyden, surprised and took the city of Münster. Here they gave themselves up to the greatest extravagances, and Matthiesen proclaimed himself king of Mount Sion, the name given to Münster. Matthiesen was cut off in a sally which he headed against the bishop of Münster's troops, and was succeeded by Bockhold, who indulged in the wildest profligacy and cruelty, pretending that he was acting under the inspiration of visions from heaven. At length, the city was taken by the bishop, in 1535, and Bockhold and many others were put to death. Meyerbeer's famous opera *Le Prophète*, is founded on the career of John of Leyden. The principles of the Anabaptists had taken deep root in various parts, particularly in the Netherlands. Hero Menno Simon, a native of Friesland, and a man of great eloquence, while maintaining the opinions of the Anabaptists upon baptism, preached against their extravagances, and founded the sect of Mennonites. (See MENNONITES.) Several Anabaptists were executed in London in the middle of the 16th century; and in 1651 a party about eighty in number appeared in arms in London, headed by their preacher, Thomas Venner, a wine cooper. They fought desperately, and killed seven soldiers. Venner and sixteen others were executed.

ANALOGY, *an-al-o-jé* (Gr., *analogia*, the same ratio or proportion), properly signifies a similarity of ratios or relations, though it is frequently applied, also, to a similarity of things. A ratio or relation between two objects denotes that they are compared together in reference to some quality which they both possess in common, or to some manner in which the one is affected by the other. In this way we speak of one thing being greater, smaller, or more beautiful than another; of the relation of a child to his parents; of a prince to his people. It is, however, only when we come to compare relations, when we find that the relation or ratio of two things is like the relation of two other things, that we properly have an analogy: A may resemble B, but there is no analogy between them; but if A bears the same relation to B that C does to D, then there is analogy. In relation we have only two terms or objects of comparison; in analogy we must have four, though it is not necessary that all the four be different; for A may bear the same relation to B that B does to C. Two things may be connected by analogy, though they bear in themselves no resemblance to each other; for, in analogy, all other attributes are kept out of view

but those in which they agree. Thus, the bark of a tree is analogous to the skin of an animal, though there is no resemblance between them. Analogy concludes from something observed to something not observed; from something within the sphere of actual experience to something beyond it. Analogy can only give us a high degree of probability, for the simple reason that it is impossible, under any condition, to infer the unobserved from the observed. Analogy has frequently suggested a course of observation and reasoning which has led to brilliant discoveries. "Analogy," says Sir W. Hamilton, "is certain, in proportion—1. To the number of congruent observations; 2. To the number of congruent characters observed; 3. To the importance of these characters and their essentiality to the object; and 4. To the certainty that the characters really belong to the objects, and that a partial correspondence exists. Like induction, analogy can only pretend, at best, to a high degree of probability. It may have a high degree of certainty, but it never reaches to necessity."

ANARCHY, *an'-ar-ke* (Gr., *a*, not, and *arche*, government), is a term applied to a society living without any regular government; it may be as savages, in a state of nature, or a people who have thrown off the sovereign power.

ANATHHEMA, *a-nath'-e-ma*, a term derived from the Greek, and signifying properly something set apart for holy purposes, usually an offering or present made to some deity, and placed in a temple. It also denoted an animal offered in sacrifice to the gods, and hence came to signify a person devoted to destruction, losing its primary sense of consecration. In the Church the term came to be used as a form of excommunication, but differed from simple excommunication in being the extreme form of denunciation, depriving offenders of every kind of Christian hope and consolation. Such a sentence could not be pronounced without the concurrence of the provincial bishops with their metropolitan.

ANATOMY ACTS.—Previous to 1832 there were no legal means in this country of procuring dead bodies for the purpose of anatomical investigation, except those of executed criminals. The result was that "resurrection men" were encouraged to rob graves, and many atrocious murders were committed, in order to procure "subjects" for surgeons. An Act of Parliament (2 and 3 Will. IV. c. 75) was passed in August, 1832, by which licences to practise anatomy might be granted to duly qualified surgeons and physicians, schools of anatomy were legalized and inspectors appointed.

ANCESTOR, *an'-ses-tor* (Lat., *antecessor*, from *ante*, before, and *cedo*, I go), one from whom a person is descended, either on the father's or mother's side, at any distance of time.

In law, one who goes before in order of time, and from whom we descend by birth and lineage. The law makes a difference between an ancestor and a predecessor: the one being applied to a natural person and his ancestors, and the other to a corporation and their predecessors. (See CORPORATION.)

ANCHORITE, OR **ANCHORET**, *an'-ko-rite* (Gr., *anchoreos*, I withdraw or retire), a hermit, or one who withdraws himself from society in order to avoid the temptations of the world, and to devote himself to religious duties. Anchorites lived in caves or desert places, and usually practised great austerities, subjecting themselves

to the inclemencies of the weather without proper clothing or habitation, restricting themselves to coarse and scanty fare, maintaining painful postures, and wearing iron rings or chains. The most extravagant of these devotees were Simon Stylites and others, who passed their lives crouching on the summits of pillars. They sometimes obtained great fame for sanctity, and were visited for their blessing, or from a belief that they possessed the power of curing diseases. In a great number of cases the solitude and filthy habits (for some hermits of great sanctity considered it sinful to wash their flesh), produced insanity or imbecility. A terrible description of some of the anchorites of the Eastern Church is given in Locky's "History of European Morals." Many of the early Christians had to retire to solitary and desert places in order to avoid persecution; the order of Anchorites, however, arose in the 4th century, and Paul the Hermit, Antony, and Hilarion, are said to have been the first. As convents began to increase, these came generally to be preferred as places of retreat.

ANCIENTS, gentlemen of the inns of court and chancery. In Gray's Inn, the society consists of benchers, *ancients*, barristers, and students under the bar; and here the *ancients* are the barristers of the longest standing. In the Middle Temple, such as have gone through, or are past their readings, are termed *ancients*. The inns of chancery consist of *ancients* and students, or clerks; and from the *ancients*, one is yearly chosen the principal or treasurer.

ANCILE, *an-si'-le* (Lat.), in Roman Antiquities, a sacred shield, which was believed to have fallen from heaven during the reign of Numa Pompilius. It was an object of veneration, more especially on account of the tradition, which declared that so long as Rome possessed it the empire of the world should be hers. This holy buckler was placed in the keeping of twelve priests, in the temple of Mars; and in order that it should be the more effectually preserved, eleven other shields were made, so much like the true ancile, as not to be distinguishable from it. The ancile was held to have descended to the earth upon the calends of March, and, consequently, the twelve ancilia were once every year, at this period, carried round the city in solemn procession.

ANDREW, ST., ORDER OF, a Scottish order of knighthood, named after the patron saint of Scotland. (See THISTLE, ORDER OF.)

Russian Order of St. Andrew, founded by Peter the Great, in 1703, is the highest in the empire. It is confined to members of the imperial family, princes, &c., distinguished generals, and other illustrious personages. The badge of the order shows on the obverse a cross enamelled in blue, bearing a figure of the saint surmounted by a crown, and initials representing Sanctus Andreas Patronus Russiae. On the reverse a spread eagle, with the legend (in the Russian language), "For religion and loyalty." The collar is formed of St. Andrew's crosses X, alternating with imperial crowns.

ANDREW'S DAY, ST., *an'-dros*, the day observed by the churches of England and Rome in honour of this saint. It is the 30th November (formerly known as Andermas), the day, according to some, on which he suffered martyrdom, according to others, on which his relics were brought to Constantinople, in 359.

ANIMALS, CRUELTY TO.—Various statutes have been passed for preventing cruelty to animals. By the 12 and 13 Vict. c. 92, it is

enacted, that if any person shall cruelly beat, ill-treat, overdrive, abuse, or torture the animals therein enumerated (which includes all domestic animals), he shall forfeit a sum not exceeding £5; and if the animal be injured, a further sum, not exceeding £10, to the owner or person injured. The act also inflicts penalties in the case of conveying any such animal in such a manner or position as to subject it to unnecessary pain or suffering, and also in the case of bull-baiting, cock fightings, and the like; and makes a variety of humane provisions for the regulation of the business of slaughtering horses and other cattle not intended for butcher's meat; and for providing cattle impounded, with food and water. The 17 and 18 Vict. c. 60, extends the powers of the former statute in the case of impounded cattle, and prohibits the use of dogs for the purposes of draught, under a penalty of 40s. for the first, and not exceeding £5 for any subsequent offence.

ANIMALS, IN LAW. A distinction is made between animals which are *domite*, and such as *ferre nature*; the former consisting of such animals as we generally see tame, and the latter of such as are generally found at large.

ANIMALS, WORSHIP OF. The practice of worshipping animals is of great antiquity, and still survives among some savages. Sometimes they are worshipped as emblems of gods (as in Egypt), and sometimes for a belief in the transmigration of souls. A more common belief was that divine personages occasionally assumed the forms of animals. A remarkable form of the superstition was that some families, or tribes, believed they were descended from particular animals and were under their protection. (See TOTEMISM.)

ANIMISM, *an-im'-ism*, a term used by writers on anthropology, to denote the general doctrine of souls and other spiritual beings. (See SOULS.)

ANNATES, *an-na'-tees* or FIRST FRUITS, the value of an ecclesiastical benefice for one year. In this country, as early as the 6th century, those who were ordained to spiritual offices paid a fee or tax to the ordinary authorities; and when the Roman See appropriated the right of consecration, the money was paid with the Papal treasury. The Papal exaction was abolished in the reign of Henry VIII., and the right to first fruits transferred to the Crown. In 1704, the annates were appropriated by Queen Anne to the assistance of the poorer clergy, and the fund became known as Queen Anne's Bounty. Various Acts of Parliament regulating the payment have been since passed, but they were consolidated by the Act 1 Vic. cap. 20. On the continent of Europe, annates were paid in various modes; but in 1803, they ceased, a great amount of ecclesiastical property being secularized, to indemnify the powers that had sustained territorial losses through the recent wars.

ANNIHILATION, *an-ni'-hi-lai'-shun* (Lat., *ad, to, nihil*, nothing), the act of destroying or reducing any created being into nothing. It is opposed to creation, which is the making of something out of nothing. Much difference of opinion has existed on the subject of annihilation. Some theological writers have held that the soul of man was destroyed by a Divine act, and that this is the punishment implied in such passages of Scripture as that which declares that the wicked

shall be punished with everlasting destruction, and such parables as those which compare the wicked to the tares which are utterly burned. Others maintain that the soul is not naturally immortal; that immortality was left in the fall of man, and brought again to light by Jesus Christ, and that only those who believe in Him receive again the gifts of immortality. Isaac Watts believed that the children of ungodly parents are annihilated if they die in infancy; and Archbishop Whateley was disposed to admit annihilation as a probable doctrine. The ancient philosophers, in effect, denied all annihilation, as well as creation, resolving all the changes in the world into new modifications, without supposing the production of anything new or the destruction of anything old.

ANNIVERSARY, *an-ni-ver'-sa-re* (Lat., *annus*, a year, and *versum*, turned), is a term applied to the yearly return of any remarkable day. And published events are often kept in remembrance by special observances on the anniversaries. A prominent instance is the public recognition of Thanksgiving Day (the last Thursday in November) in the United States of America. Thanksgiving day has been observed since the early days of the British colonies; in 1789, Washington recommended a day of thanksgiving for the adoption of the Constitution, and afterwards similar observances were instituted to commemorate special national events. In 1863, President Lincoln issued a proclamation recommending a thanksgiving day for victories over the Confederates, and since then the day has been generally observed. Literary and scientific associations usually celebrate the anniversaries of their institution; and in domestic life it is usual to observe the birthdays of the different members of a family. The birthday of the reigning monarch is generally specially observed. Anniversary days are festivals celebrated by the Romish church in honour of the saints.

ANNUITY, *an-nu'-i-te* (Lat., *annus*, a year), is a certain annual sum of money, which may be paid annually or at certain fixed periods of the year, as half-yearly, quarterly, monthly, &c. There are various kinds of annuities, as for a certain number of years, for one or more lives, or in perpetuity. Deferred annuities are such as are not payable till after a certain period or event. From the great variety in the nature of annuities arise many complicated calculations in connection with them. An annuity is usually raised by the present payment of a certain sum, in consideration of which the person making the payment, or some one named by him, becomes entitled to an annuity for a stipulated number of years, or till a certain event, which is usually the death of the annuitant. If money did not bear interest, the value of an annuity for a certain number of years would simply be the annual sum multiplied by the number of years for which it was to be paid—as an annuity of £10 for ten years would simply be £100. But, while paying the annuity, the person engaging for it is drawing the interest of the price. Thus, if £100 were paid for an annuity of £10, the interest being at 5 per cent., he would have the interest of £100 for the first year, = £5; the interest of £95 for the second year, = £4 15s.; the interest of £89 15s. for the third year; and so on. In this way, the present value of an annuity of £10 for one year (interest being at 5 per cent.) is £9 10s. 6d.; for two years, £18 11s.

10s. 6d.; three years, £27 4s. 8d.; four years, £35 9s. 2d.; five years, £43 5s. 11d.; ten years, £77 4s. 6d.; twenty years, £124 12s. 5d.; for ever, £200. The interest, as it is termed, of the national debt—that is, the dividends on the public stocks—is virtually a multitude of perpetual annuities. Where the annuity is dependent upon the life of an individual, the calculation is more complicated; for here it becomes necessary to ascertain, not only the present value of the annuity, but also the probable duration of the life of the individual. Of course, in the case of one person, he may die within the first year, or may live to extreme old age; but it is found that, where a number of persons are concerned, the average duration of life may be calculated with great nicety. Various tables of mortality have been constructed. Until recently, those most depended on were the Northampton Tables of Dr. Price, the Carlisle Tables of Mr. Milne, and the tables of Dr. Finlaison; but more accurate tables have since been constructed by Dr. Farr, from the Census nomenclature, and they are now used as the basis for the rates of payment of Government annuities.

Government Annuities.—Immediate or deferred annuities, not exceeding £50 a year (paid half-yearly or monthly if desired) may be obtained through the Post Office, at charges varying according to the age and sex of the person on whose life the annuity is to depend. The rate for women is higher than for men, as women are generally longer lived. A few examples of the rates to be paid down in one sum for an immediate annuity of £1, at various ages, may suffice. Tables giving the rate for every age, from 10 to 80, or any greater age, can be obtained at any Post Office.

Age of the person at the time of purchasing the annuity.	Male.		Female.	
	£	s. d.	£	s. d.
21 and under 22	29	10 11	21	3 11
31	33	10 11	29	14 2
41	42	16 0	37	17 5
51	52	21 6	45	6 3
61	62	10 4 10	19	18 1
71	72	7 0 6	8	2 8
80 and upwards	4	3 3	5	7 0

Deferred Annuities are also granted. Thus a man aged 30, by an immediate payment of £21 8s. 4d., and a woman by a payment of £32 8s. 4d., may purchase an annuity of £10 a year, to commence on reaching the age of 60. If preferred, instead of these sums being paid down, annual payments of £1 8s. 4d. and £1 17s. 6d., respectively, can be made until the age of 60 is reached. Another feature in the Government system of deferred annuities is that by a somewhat higher payment—viz., for men £40 9s. 2d. (or an annual payment of £2 0s. 10d.), and for women £47 0s. 10d. (or annual payment of £2 7s. 6d.)—an annuity of £10 is secured on reaching the age of 60, or in the event of their dying before reaching that age, or their wishing to have it at any time before reaching the age of 60, the whole of the purchase money will be returned. Husband and wife may each purchase an annuity of £50, or a monthly allowance of £4 3s. 4d.; and any two persons may purchase an annuity on their joint lives, with or without continuance of the annuity to the survivor.

In Law, annuity is a yearly sum, chargeable only upon the person of the grantor, and is distinguished from a rent-charge, which is a burden imposed upon or issuing out of land. Formerly, certain Acts of Parliament imposed checks on the grant of life annuities, but they were repealed by 17th and 18th Vic. c. 90, and passed a year later (18 and 19 Vic. c. 13) provide for their registration, except in the case of annuities given by will.

Annuity Tax, a local impost for the payment of the salaries of the Established clergy of the city of Edinburgh. It was first established on a limited scale in 1661. In 1865 the tax was redeemed by payment of £26,700 by the Corporation to the Edinburgh Ecclesiastical Commissioners.

ANNUNCIATION, *an-nun'-si-ai'-shun* (Lat. *annuntiari*, to announce), the name of a festival celebrated March 25th, in commemoration of the announcement made by the angel Gabriel to the Virgin Mary, that she was to become the mother of our Lord. It is also called Lady-day. The earliest authentic references to the festival are in a canon of the council of Toledo (656 A.D.), and another of the council of Tulleo (962 A.D.)

ANNUNCIADA, *an-nis'-ci'-da*. One order of knighthood and two religious orders have borne the name.

Knights of the Annunciation, the order was instituted as the order of the Neck-chain and Collar, in 1356 by Amadeus VI, Duke of Savoy; in 1518 it received the name of the Holy Annunciation, and in 1720 was raised by Victor Amadeus to be the first order of the Kingdom of Sardinia, with the rank for grand-master. The decoration is a gold medal on which is represented the Annunciation, surrounded by love-knots; the collar is composed of love-knots and roses.

Religious order of the Heavenly Annunciation, or Nuns of the Annunciation of Mary, was instituted in 1682, at Genoa, by Victoria Formase. There are still some convents of the order in Italy; but those in France, Germany, and the Netherlands did not survive the French Revolution.

Order of the Annunciation, or Nuns of Mary's Annunciation, or the Ten Virtues, was instituted at Bourges in 1501, by John of Valois, and shortly afterwards placed under the authority of the Franciscans. It extended to fifty convents for the reception of poor gentlemen. The order was broken up by the French Revolution.

ANNUS DELIBERANDI, *de-lib-e-ran'-di*, in Scotch law, signified the period of a year allowed to an heir to deliberate whether he would accept the inheritance of the burdens of his predecessor's debts. But by Acts passed in the present reign, proceedings may be taken against the heir after the lapse of six months.

ANointing, *a-noin'-ting*, signifies the pouring on of oil, a custom which was, and still is, very prevalent in the East. The oils were usually highly scented. To anoint a guest was to show him one of the highest marks of respect. The anointing of Christ by Mary is mentioned in the Gospels. Among the Jews, anointing was considered necessary as the preparation of the person for rare and great occasions. It also denoted the consecration to a sacred office, as that of king or priest; and even vessels for the service of the tabernacle were anointed before being used. Anointing the dead was a part of the funeral ceremony. The titles Messiah and Christ both mean "anointed," the phrase "anointing" in reference to the work of the Holy Spirit occurs in the New Testament, in the Epistles of Paul and John, and in the Revelation. The custom of anointing priests still exists in the Roman Catholic church, and that of anointing kings in Christian monarchies. It is generally supposed that Alfred the Great was the first king anointed in England. (See CORONATION.) The ancient athletes anointed themselves in order to render it more difficult for their antagonists to get hold of them. The anointing of oil was also regarded as a means of restoring the sick. It was practised in the primitive Church, and in the Roman Catholic Church, at baptism and confirmation, the infant or candidate is anointed, as are dying persons who have confessed and received absolution. (See EXTREME UNCTION.)

ANOMCEANS, *an-on'-ans* (Gr., *anomoios*, different), in Church history, the name by which

the pure Arians came to be distinguished in the 4th century. They were so called from their maintaining that Christ had a nature different from, and in nothing resembling that of God; whereas, the Semi-Arians held that there was a resemblance between the two natures. The Anomceans were condemned by the Semi-Arians at the council of Seleucia, A.D. 359; but the former avenged themselves by condemning the latter to a council at Constantinople, a year after.

ANTEDILUVIAN, *an-te-di-loo'-vi-an* (Lat., *ante*, before, and *diluvium*, a flood), a term applied to whatever existed or happened in that period of the world's history which preceded the Flood. According to the Hebrew text, this period comprised 1,656 years, being only 692 years less than the period from the Flood to the birth of Christ. The Samaritan and Septuagint texts, and Josephus, however, according to Hales and Jackson, make it no fewer than 2,256 years. The Scripture record of this period is very brief, occupying less than fifty verses of the book of Genesis. A mythical record of some of the personages and events of the antediluvian time is preserved in the inscriptions recently discovered in the course of the excavations which have revealed so much of the early history of Assyria and Babylon. (See ASSYRIAN DISCOVERIES and DELUGE.)

ANTELUKAN, *an-te-loo'-kan* (Lat., *ante*, before, and *lux*, light), before light, a term applied by ecclesiastical writers to things done in the night, especially used in reference to the assemblies of Christians which were held during the night in the early times of persecution.

ANTHESTERIA, *an-thes-te'-ri-a* (Gr., *an-thesterion*), a three days' festival held annually at ancient Athens, in the month Anthesterion (which corresponded nearly to our February), to celebrate the advent of spring and the arrival of the season when the wine made at the previous vintage was considered fit for use. On the first day libations were offered from the newly opened jars to the god of wine. Drinking clubs, merry makings, and solemn ceremonies in the temples of Bacchus occupied the second day, whilst on the third various rejoicings and games were held.

ANTHROPOLATRY, *an-throp'-ol-a'-try* (Gr., *anthropos*, man), a term used to denote the worship of man. Thus the early Christians reproached the heathen of Anthropolatry, because in their mythology, men were worshipped under the guise of gods. Men were represented as being exalted among the gods. Christians have been similarly accused for worshipping Christ; the reply to which is the assertion that Christ is divine, and that his divinity, not his humanity, is worshipped.

ANTHROPOMORPHISM, *an-thro-po-mor'-fem* (Gr., *anthropos*, man, and *morphe*, form or shape), literally signifies the representation of human form, and in theology is used to denote those conceptions of God which represent Him as possessed of corporeal and human attributes and properties. As finite beings, it is impossible for us to form true conceptions of what is infinite; we can only judge and speak of it from what we find within and around us; hence we read in Scripture of the eye, ear, hand of God, as well as of his remembering, forgetting, &c. It was necessary that the Divine revelations ad-

dressed to mankind should be clothed in language adapted to their inferior capacities; but it is evident that it is necessary to guard against being led into too gross and material notions by such language. The true way out of the difficulty would seem to be not to acknowledge that our ideas of God must be to some extent anthropomorphic, but to recognize that they are wholly symbolical.

ANTHROPOMORPHITES, *an-thro-po-mor'-fites*, a sect called also Audiana, from the name of their leader Audius, which arose in the 4th century, and, taking everything spoken of God in Scripture in a literal sense, especially that passage in Genesis where it is said that "God made man after his own image," maintained that God had a human form.

ANTIBURGERS, *an-ti-bur'-gers*, were a sect of Scottish Presbyterian dissenters, who differed from the Established Church chiefly in matters of church government. They differed from the Burgers, with whom they were originally united, regarding the lawfulness of taking the burgess oath. They have since been absorbed into the United Presbyterian Church.

ANTICHRIST, *an-ti-kriste* (Gr., *anti*, against, and *Christos*, Christ), literally signifies the opponent or adversary of Christ, and is the name given to the great enemy. The name only occurs in the First and Second Epistles of St. John, where it is said, "As ye have heard that Antichrist shall come, even now are there many Antichrists. . . . He is Antichrist that denieth the Father and the Son;" and also that every spirit that confesseth not that Jesus Christ is come in the flesh, is that spirit of Antichrist, whereof ye have heard that it should come, and even now already is it in the world. Antichrist is generally regarded, however, as "that man of sin" spoken of by St. Paul as "the son of perdition who opposeth and exalteth himself above all that is called God, or that is worshipped; so that he as God sitteth in the temple of God, showing himself that he is God" (2 Thess. ii.); and the beast spoken of by St. John in the Apocalypse as a beast rising out of the sea and making war upon the saints, with seven heads and ten horns, and ten crowns upon his horns, and upon his heads the name of blasphemy. False teachers are sometimes called Antichrists. Some Protestants hold that the Roman Catholic church is Antichrist. The Roman Catholics speak of the Reformation and the spirit of free inquiry as Antichrist.

ANTI-CORN-LAW LEAGUE was a league formed of the various existing anti-corn-law associations, at a meeting held at Manchester in 1839, with a view to bring about a repeal of the corn-laws. It followed the defeat of a motion by Mr. Charles Villiers in the House of Commons, that a delegation of manufacturers should be heard by counsel at the bar of the House against the corn-laws. A central office was established at Manchester, lecturers were employed, and publications issued, advocating their views; and great public meetings were held at various times in Manchester, London, and other places. Large sums of money were also raised for the purpose of bringing about free trade in corn; and, at a great meeting in Manchester in December, 1845, it was proposed to raise a quarter of a million sterling. The passing of the bill for the repeal of the duty on corn, however, rendered this unnecessary, and the League was formally dissolved

on July 2, 1846. The efforts of Mr. Cobden in this cause were rewarded by a national subscription amounting to nearly £80,000.

ANTIDORON, *an-ti-do'-ron* (a gift in exchange). In the Greek Church the middle part of the consecrated bread, marked with the cross, wherein the consecration resides, having been taken away by the priests, the remainder was distributed to the people, after the mass.

ANTILEGOMENA, *an-ti-le-go'-me-na* (Gr., *anti*, against), a term used by the early Christian writers to denote certain books of the New Testament, which although read in churches were not for many years held to be genuine or admitted into the recognized and authorized version of the Bible. These books were—the Epistle to the Hebrews, the Epistle of St. James, the Second Epistle of St. Peter, the Second and Third Epistles of St. John, the Epistle of St. Jude, and the Revelation of St. John. They were so called in opposition to the Homologoumena or universally accepted books.

ANTINOMIANS, *an-ti-no-mi-ans*, (Gr., *anti*, and *nomos*, law), a name given to such as hold that Christians, being justified by faith, are freed from the observance of moral laws and the performance of good works. This error probably arose from a misunderstanding of the distinction made by the apostle Paul, in the Epistle to the Romans, between faith and the works of the law. Various sects arose in the early church who might be termed Antinomians; but the name was first used by Luther at the time of the Reformation, and applied by him to the opinions advocated by John Agricola. The latter afterwards recanted, and, from that time, little has been heard of Antinomianism on the continent. During the time of the Commonwealth in England, certain advocates of this doctrine appeared, and, since that time, the term has been applied by way of reproach to various sects, with little regard to its original or proper meaning. Indeed, an extreme of Calvinism tends to a species of Antinomianism, in so far as religion is considered chiefly as a matter of faith, with little regard to practice, manifestly overlooking the apostle's doctrine, that "faith without works is dead, being alone." The name is sometimes, though not quite fairly, applied to Christians who believe that, although positive laws are not binding on them, the guidance of Gospel principles and the constraint of Christian love induce the observance of the moral law.

ANTI-PEDOBAPTISTS, *an-ti-ped-do-bap-tists* (Gr., *anti*, paidos, of a child, and *baptizo*, I baptize.)

ANTIPATHY, *an-tip'-a-the* (Gr., *anti*, and *pathos*, feeling), in its widest sense, denotes the natural dislike or aversion which an animate being entertains for some particular object. In the human species we frequently meet with remarkable cases of antipathy by certain individuals to objects which are grateful or indifferent to the generality of mankind. Thus, some have an antipathy to certain kinds of food, as butter or eggs; to certain animals, as toads, mice, spiders; to certain tastes, smells, sounds, &c. In some cases the antipathy is so strong as to produce sickness or fainting. Doubtless, many of these feelings may be traced to early training, as when children are frightened with certain objects, or nauseated with certain kinds of food. In respect

of dislike of food, it may arise from some physical peculiarity, which makes the particular food uncongenial and repulsive; and if unconsciously partaken of, may produce the accustomed distressing symptoms. Antipathy is not always a conscious caprice which may be removed by an effort of the will, or by habit. The antipathy to certain objects, crawling insects for instance, is entirely beyond the control of the strongest will. A strange terror is experienced, although the person feeling it knows well enough that there is not the slightest of danger. The great Napoleon exhibited a paroxysm of fear, and almost screamed for assistance, at the sight of a cat; and many persons, ordinarily possessed of a fair amount of courage, can sympathize with the writer of the well-known "Confessions of a Turkish Spy," who said of a spider, "I have a perfect antipathy against it. If Gideon or Hippocrates were alive, they would not be able, with all their learned disquisitions, to reconcile me to a creature for which I have an invincible aversion and abhorrence. The sight of a spider would always make me sweat and tremble. I would rather encounter with a lion or a tiger in the deserts of Arabia, provided I had but a sword in my hand, than have a spider crawl about me in the dark." Shakespeare makes Shylock allude to this strong aversion as a reason for desiring the death of Antonio:—

"Some men there are love not a gaying plg.
Some that are mad if they behold a cat."

ANTIPOPE, *an-ti-po-pe*, one who assumes the title and functions of a pope without valid election. Antipopes elected by a sovereign, or by a faction, have frequently arisen in the Roman Catholic church, and have led to long protracted struggles. The emperors of Germany were the first to set up popes of their own nomination, in opposition to those that the Romans had elected without consulting them. In many cases, both competitors—sometimes there were even three or four—for the papal chair, were equally antipopes, that is, their claims were equally good. Each was frequently supported by whole nations, and the schism was nothing else than the struggle of adverse political interests. During the 12th, 13th, and 14th centuries, there were numerous antipopes; but the most remarkable of these schisms in the Church is that which took place on the death of Gregory XI., in 1378, and divided and agitated the Church for fifty years. The Italian party elected Urban VI. to the papal chair, and the French cardinals retired from Rome and elected one of their own number as pope, under the title of Clement VII. The claims of the latter were recognized by France, Spain, Savoy, and Scotland, while Italy, Germany, England, and the countries in the north of Europe, supported Urban. Clement established himself at Avignon, and there he and his successor, Benedict XIII., held their court, while Urban and his successors continued at Rome. The schism caused great scandal in the church; the two popes excommunicated each other, and did not hesitate to compromise their sacred character by the most cruel outrages and the grossest insults. At length, a general council was held at Pisa in 1409, when both Gregory XII. and Benedict XIII., the successor of Urban, were deposed, and Alexander V. elected in their stead. Peace, however, was not established till the council of Constance in 1415, when all the three popes were deposed, and Martin V. elected in their room.

ANTI-RATIONALISTS, *rash'-on-a-lists*, a term sometimes applied by way of reproach to such as unduly depreciate the application of reason in matters of religion. Those who unduly magnify reason, making it the chief or only guide, are termed Rationalists; those that unduly depreciate it, Anti-Rationalists.

ANTI-SABBATARIANS, *an-ti-sab-ba-tair'-i-ans*, is a term applied to those who are opposed to the observance of the Christian sabbath, on the ground that the sabbath was merely a Jewish ceremonial institution, and consequently abolished by the coming of Christ.

ANTISTASIS, *an-tis'-ta-sis* (Gr., *anti*, and *stasis*, a position), is a term applied to what in Latin is called *comparativum argumentum*, and is that species of defence of an action which is founded on the assertion that if it had not been done, worse would have ensued. In this way, a general may defend an inglorious capitulation, by asserting that, except for it, the whole army must have perished.

ANTI-TRINITARIANS, *an-ti-trin-i-tair'-i-ans*, are those who deny the doctrine of the Trinity, and hold that there are not three persons in the Godhead. There have been various kinds of Anti-Trinitarians; but, in the present day, the term is principally applied to the Socinians or Unitarians.

ANTOSIANDRIANS, *an-to-si-an-dri-ans*, a sect of rigid Lutherans, so called from their being opposed to the doctrines taught by Osinuder regarding justification. They held that man is not really made just, but only pronounced to be so; that he is not made essentially, but only putatively just.

ANUBIS, *an'-u-bis*, an Egyptian deity, called also *anepu* and *anepm* on hieroglyphic monuments, *anob* and *anou* in Coptic. In the ancient Egyptian mythology, he is supposed to have been the son of Osiris and Isis, and he appears to have been worshipped from the oldest period. Carvings illustrative of his worship are to be found on the tombs at Memphis. He is represented on monuments as having pointed ears, nose of a jackal, and the body of a man, sometimes with a double crown on his head. His supposed office was to preside over funeral rites and embalming of the dead; also, in the great judgment, he attends to the scales placed in the "Hall of the Two Truths, where the soul is weighed by Osiris against the feather of Truth." He was also the "opener of the roads," which were supposed to lead to heaven. As in time the Egyptian religion spread beyond the bounds of Egypt itself, he appears to have become known to the Greeks under the title *Flornes* or *Hermanubis* who changed his jackal face into that of the dog.

APANAGE (probably derived from *pain*, bread), a technical term in the French law, employed to denote the provision made for younger sons by bestowing lands upon them. This was often done by the kings of France in ancient times.

APATHY, *ap'-a-the* (Gr., *a*, without, and *pathos*, feeling), denotes a privation of feeling, a want of passion or emotion. The ancient Stoics affected an entire apathy, considering it as the highest wisdom to enjoy perfect calmness or tranquillity of mind, incapable of being ruffled, and above the reach of any sense either of plea-

sure or pain. In the first ages of the Church, the term apathy was employed by the Christians to express a contempt for all earthly concerns. Clemens Alexandrinus, in particular, brought it greatly into use, expecting thus to draw to Christianity the philosophers who aspired after such a sublime pitch of virtue.

APIS, *ai'-pis*, the sacred bull of the Egyptians, worshipped at Memphis from the earliest days. He was probably introduced into the Egyptian religion in the 2nd dynasty, and was then regarded as the incarnation of the god Ptah, or the Egyptian Vulcan. In the 4th dynasty, two bulls, Apis and Ninevis, are supposed to have represented the sun and moon respectively, while later still, according to Greek writers, Apis was the image of Osiris, the husband of Isis, the god of the Nile, and the great divinity of the Egyptians. Originally he appears to have been styled Hapi, signifying "the hidden." The confusion of ideas regarding Apis may be explained from the fact that the incarnation of the great gods varied in different localities, and at different periods. At Memphis the great god was Ptah, and here the bull was held to contain his afflatus or spirit; at Heliopolis it represented the sun, in Upper Egypt, Osiris. In any case he was the most sacred of all animals. A court was set apart for his residence in the temple of Ptah at Memphis. The worship of the golden calf by the Israelites is supposed to have sprung from the Egyptian worship of the bull.

APOCALYPSE, *a-pok'-a-lips* (Gr., *apokalupto*, I reveal or discover), the last in order of the sacred books of the New Testament, called in our English version the Revelation of St. John. It was written, according to Irenæus, about A.D. 90, in the island of Patmos, whither John had been banished by the Emperor Domitian; but, according to Sir Isaac Newton, it was written earlier, during the reign of Nero. The authorship of this book is commonly ascribed to John the "beloved apostle," and author of the fourth Gospel, but some critics ascribe it to another John, commonly called the Presbyter. It has also been attributed to the arch-heretic Cerinthus; and hence it has not always been held as canonical. There were certain churches in Greece, as St. Jerome informs us, that did not receive it; and it does not occur in the catalogue of canonical books prepared by the council of Laodicea, nor in that of St. Cyril of Jerusalem; but Justin, Irenæus, Origen, Cyprian, Clemens of Alexandria, Augustine, Jerome, Tertullian, and all the fathers of the 4th, 5th, and following centuries, quote the Revelation as a book then acknowledged to be canonical. The controversy regarding it was revived at the time of the Reformation, and Luther expresses himself very vehemently against it. The Reformers of Geneva, however, Calvin and Beza, received it as canonical; and these have been followed by Protestants generally. Many and various have been the interpretations which have been given to this book, and very conflicting have been the commentaries upon it. There are said to be at least eighty systematic commentaries upon it, all of which are of note, while there are a far greater number of less value. These commentaries may be resolved into three, or rather four, schools of thought. The first, that of the Præterists, comprises those who hold that the whole, or by far the greater part, of the predictions have been fulfilled. They limit its denunciation to the

destruction of pagan Rome. The second, the Historical or continuous school of expositors differ greatly among themselves in detail but agree in regarding the book as a continuous prophetic history of the Church in symbolical language from the first century to the end of time. The third are the Futurists, who maintain that the prophecies, with the exception of the first three chapters, relate entirely to events which are to take place at or near the second coming of our Lord. Fourth, there are others again who regard it as a magnificent symbolical poem which sets forth the eternally recurring principles of right and wrong, and the Divine government, &c. They think that the grand symbolical imagery of the book has never found, and never will find, its exact counterpart in any earthly events; its meaning is purely spiritual, and it will only be fully fulfilled when the kingdom of God attains its final triumph over the kingdom of evil.

APOCALYPTIC LITERATURE. This term is applied generally to predictions regarding the growth and triumph of Christ's Kingdom, and the books are sometimes called, The Spurious Apocalypses. When the Jews suffered so severely from Syrian and Roman oppression, many writers arose, who sought to comfort the people by holding forth hopes of the speedy restoration of the Jewish independence under the Messiah. The chief of these are (First Jewish Apocalypses) Enoch (which see); The Prophecy of Ezer; The Book of the Jubilees, or the Little Genesis; the Ascension of Moses; the Apocalypses of Moses; the Sibyllines (14 books); and the Apocalypses of Baruch. Second Christian Apocalypses—The Sibyllines; Esdras; the Apocalypses of Paul, Peter, Stephen, Thomas, Bartholomew, Mary, and others.

APOCALYPTIC NUMBER. The mystical number 666 found in the Book of the Revelation. In the early days of the Church these figures were supposed to refer to "Pagan Rome; and many Protestants regard them as referring to Papal Rome.

APOCRYPHA, *a-pok'-re-fa* (Gr., *apokrupha*, hidden, secret), a term formerly used in various senses, to denote certain books, the meaning of which was supposed to be hidden from the "common people," but now having a meaning very little different from "spurious." Among early Christian writers it was frequently applied to anonymous or pseudonymous works. It was also applied to dangerous works, composed by ancient heretics to favour their views, or by Catholics under fictitious signatures. At present, the name is commonly applied to certain books which are not believed to have been divinely inspired, but which have sometimes been regarded as such, and are still generally held as useful for instruction and edification. These books were not received by the Jews as any portion of the Old Testament, and they are not cited or alluded to in any part of the New. Neither were they regarded as canonical by the early fathers, though they were generally considered worthy of reverence and esteem, till the council of Trent, in 1545, adjudged that (with the exception of the two books of Esdras and the Prayer of Manasses) they were to be held as canonical by the Catholic Church. At the Reformation, Protestants generally rejected them; but they soon began again to be read in public worship. The Church of England enumerates the apocryphal books in her XXXIX. Articles as books which "the

Church doth read for example of life and instruction of manners, but yet doth it not apply them to establish any doctrine." By the other Protestant churches in England and America, they are rejected from public worship. The apocryphal books* are I. and II. Esdras, Tobit, Judith, Esther, Wisdom of Solomon, Ecclesiasticus, Baruch, Song of the Three Children, History of Susannah, Bel and the Dragon, Prayer of Manasses, I. and II. Maccabees. In old editions of the Bible, the Apocrypha is sometimes to be seen bound up between the Old and New Testaments; but not in the recent authorized editions. Besides these, there are a number of other so-called apocryphal books, which, however, have never been regarded as canonical. Among these, are the third and fourth books of Esdras, the book of Jnoch, the Testament of the Twelve Patriarchs, the Assumption of Moses, the third, fourth, and fifth books of Maccabees, &c. The origin of these works cannot be ascertained with accuracy. Some bear traces of a Palestinian, others again of an Egyptian, others of a Chaldean influence; most bear internal evidence of having been composed in the 1st or 2d century B.C. The following reasons may be given for their rejection. They are not extant in Hebrew, and are wholly wanting in that prophetic spirit which is apparent in even the historical records of the Old Testament. Moreover, not only do they not claim inspiration, but bewail the want of it, and they are characterized in many passages by a feeling of romance different from the simple grandeur of the Bible. Still further, they teach doctrines not taught in other parts of the Bible, such as the efficacy of prayers for the dead, the intercession of saints and the transmigration of souls, and last of all, but perhaps most conclusive, they appear never to have been quoted by Christ or his Apostles. Of the New Testament, there exist a number of spurious Gospels, Acts of Apostles, and Epistles. These works have been collected and published by Fabricius, in his "Codex Pseudepigraphus Veteris Testamenti," and his "Codex Apocryphus Novi Testamenti."

APODICTIC, *a-po-dik-tik* (Gr., demonstrative), is a term applied to those judgments or conclusions which are necessarily true, from the opposite being impossible. An apodictical argument, therefore, is one which excludes the possibility of the opposite.

APOLLINARIANS, *a-pol'-li-nai'-ri-ans*, an ancient sect of heretics which arose in the latter half of the 4th century, and were named after Apollinarius, bishop of Laodicea. They denied that our Saviour had a reasonable soul, and asserted that its place was supplied by the Logos, or Divine nature. This doctrine was condemned as heretical by various councils, including that of Constantinople, in 381. After the death of their founder, the Apollinarians were divided into two sects—the Vitalians, named after Vitalis, bishop of Antioch, and the Polomians—the latter asserting that the Divine and human natures were so blended in Christ, that his body was a proper object of adoration. The Apollinarians were forbidden by imperial edicts, in 388 and 397, from holding religious assemblies, and in 425 from having pastors or residing in cities; and they at length entirely disappear.

APOLLYON, *a-pol'-yon*, the Greek rendering of the Hebrew Abaddon, the angel of the

bottomless pit. In the Revelation (ix. 11) we read, "They had a king over them, whose name in the Hebrew tongue is Abaddon, but in the Greek tongue hath his name, Apollyon." Most critics identify the fallen angel with the Asmodeus of the apocryphal book "Tobit."

APOLOGETICS, *a-po-lo-jel'-iks*, is a term applied to that branch of divinity which has for its object a systematic arrangement of those external and internal evidences of Christianity by which Christians are enabled scientifically to justify the peculiarities of their faith. Apologetics defend the fundamental principles of Christianity against unbelievers; polemics defend one particular belief, or class of beliefs, against others. Apologies (and in this connection the modern popular meaning of the word as an acknowledgment or explanation of some wrongdoing or breach of faith, must be avoided) for certain doctrines of Christianity, or defending it from charges brought against it by its opponents, have appeared from very early times; as the apologies of Tertullian, Justin Martyr, Origen, and others; but it was not until the 16th century that apologetics came to be regarded as a distinct branch of theological science. The name was first brought into use by J. C. Planck, in his "Introduction to Theological Knowledge," 1794. The first work, however, which can be said to have treated the subject of apologetics in a scientific manner is that of P. E. Müller, published at Copenhagen in 1810, "Christian Apologetic; or, a Philosophical Exposition of the Arguments for the Divine Origin of Christianity." Since that time, various works have appeared on this subject, particularly in Germany. The fundamental principle of apologetics is the necessity of a supernatural revelation. It treats of the logical, moral, and metaphysical possibility of a revelation; of the necessity of a revelation; and demonstrates, from internal and historical evidence, the truth of revelation.

APOSTACY, *a-pos'-ta-se* (Gr., *apostasis*, a forsaking, desertion), is a going away or defection from one's original profession or party religion, either openly or virtually. The primitive Christian church distinguished several kinds of apostates:—1, Those who went entirely from Christianity to Judaism; 2, those who complied with the Jews in many of their unlawful ceremonies, without making a formal profession of their religion; 3, those who mingled Judaism and Christianity together; and 4, those who relapsed into paganism. The Emperor Julian, who abandoned Christianity, is known in history as "The Apostate."

A POSTERIORI, (*See A PRIORI*.)

APOSTLE, *a-pos-el* (Gr., *apostolos*, a messenger), properly signifies one sent or delegated by another upon some business; one of the disciples specially commissioned by Christ to preach the Gospel. Out of the number of his disciples, our Lord selected twelve to be invested with the apostleship. Their names were Simon Peter, and Andrew, James the Greater, John, Philip, Bartholomew, Thomas, Matthew, James the Less, Jude, surnamed Lebbaeus or Thaddæus, Simon the Canaanite, and Judas Iscariot. About eight months after their solemn election, and in the third year of our Lord's public ministry, they were sent out by two and two to declare to the people of Israel (not going to the Samaritans or Gentiles) that the kingdom of heaven was at hand, and to confirm their doctrine by miracles.

After the resurrection of our Lord, the place of Judas was supplied by Matthias, and the apostles received a new commission of a more extensive nature,—"To go and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost." Paul, and, according to some, Barnabas, were subsequently added to the list of apostles, without regard to the number of twelve. It was essential to an apostle—1, That he should have personally seen Christ; 2, that he should have been immediately called and chosen by Christ himself; 3, that he should have been divinely inspired and fully instructed in the mysteries of the kingdom of heaven, so as to be secured against all mistakes in teaching divine truth; and 4, that he should have the power of working miracles in attestation of his commission, and of the truth of his doctrine. They were not restricted, like bishops and pastors, to any particular church; and they had no successors in office. St. Paul is sometimes styled, by way of eminence, the Apostle of the Gentiles, as St. Peter was called the Apostle of the Circumcision. The appellation of apostle was sometimes given to the ordinary travelling ministers of the Church; as where the Apostle Paul speaks of Andronicus and Junia as of note among the apostles. According to some, Barnabas was an apostle in this sense; though others hold that he was one in the highest sense. This was also a title given to those sent by the churches to carry their aims to the poor of other churches. Thus St. Paul, in writing to the Philippians, tells them that Epaphroditus, their apostle, had ministered to his wants. Apostle is also thought by many to have been originally used for bishop before that name was introduced. Among the Jews, it was the name of an officer sent into the different parts of the country to see that the laws were duly observed, and to collect the moneys for the temple. In like manner, it is frequently applied to one that has first planted Christianity in a place; as Xavier, the Apostle of the Indies. In the Greek Liturgy, "apostle" is the name of a book containing the epistles of St. Paul, printed in the order in which they are to be read in churches throughout the course of the year. *

APOSTLES, ACTS OF. (See ACTS OF THE APOSTLES.)

APOSTLES' CREED (Lat., *credo*, I believe), is the name of a formula or summary of the Christian faith, drawn up, according to some, by the apostles at Jerusalem shortly after our Lord's ascension; and hence its name. There are many reasons for doubting this; but that it is very ancient is evident from the fact that it is to be found as it now stands in the works of St. Ambrose and Rufinus, both of whom flourished in the 4th century. (See CREED.)

APOSTOLIC, OR APOSTOLICAL, *ap-os-tol'-ik*, is a term applied to something relating to, connected with, or descended from the apostles; as, the apostolic age, the apostolic doctrine, the apostolic character.

Apostolic Canons are certain rules or laws for the government of the Church, held by some to have been drawn up by the apostles themselves. There is no sufficient ground for believing that this was the case; they probably belong to the 4th or 5th century. The first fifty canons, translated from the Greek into Latin by Dionysius the Younger, were accepted by the Latin Church, and the Greek Church accepted all the canons, including thirty-five of a later date. Their variation became a matter of dispute between the churches.

Some modern writers on the subject have come to the conclusion that the canons are a compilation of practical rules for the guidance of the clergy made from Holy Scriptures, the decisions of the earlier councils, and existing ecclesiastical usage, by an unknown ecclesiastic of the Syrian Church, who lived in the 4th or 5th century.

Apostolic Constitutions—Eight books, of which the first six contained directions for the whole of the Christian life, and were probably written by Clement Romanus about the end of the 3rd century. The seventh book is essentially an abridgment of the others, and belongs probably to the beginning of the 4th century. The eighth book, which relates only to the sacred offices, and is written for the priests, belongs probably to the middle of the 4th century. There are, however, numerous later interpolations.

Apostolic Churches was anciently a name given to those churches which were supposed to have been founded by the apostles. In aftertimes, other churches assumed this title, principally on account of their supposed conformity with the doctrine of the churches planted by the apostles. The term was first applied to bishops in the 6th century. Afterwards, the title was assumed by the Popes of Rome, as being the successors of the chief apostle Peter. Hence the terms apostolic church, apostolic see, apostolic chair, apostolic blessing, &c.

Apostolic Fathers—An appellation usually given to the writers of the 1st century, who employed their pens in the cause of Christianity. They were Clement, Barnabas, Ignatius, Polycarp, and Hermas.

Apostolical Succession, *ap-os-tol'-i-ku-l*, is a term applied to the line of unbroken succession, in which the ministry of the Church has been continued from the days of the apostles to the present time. Dr. Hook, in his "Church Dictionary," says, "The clergy of the Church of England can trace their connection with the apostles by links, not one of which is wanting, from the times of St. Paul and St. Peter to our own." Some theologians maintain that there has been not only a historical succession, but a transmission of the powers and privileges of the apostles. This claim is made by the Roman Catholic Church.

Apostolic Catholic Church. (See IRVINGITES.)

Apostolic Majesty—A title conferred by Pope Sylvester II., in A.D. 1000, on Duke Stephen of Hungary. In 1788 the title was renewed by Pope Clement XIII. in favour of Maria Theresa, as Queen of Hungary, and continued to be used by the Emperor of Austria, as King of Hungary.

Apostolic Party—The name given to a party conspicuous in the modern history of Spain, composed of ardent Roman Catholics, who, about 1820, formed themselves into a band, composed chiefly of smugglers and vagabonds, led by refugee priests. After leading a predatory and disorderly life for about ten years, they merged into the Carlist party.

APOSTOLICI, OR APOSTOLIC

PRETHIEN, *ap-os-tol'-i-en*, is the name of three different sects, who professed to imitate the manner and practice of the apostles. The first of these, called also *Apolutici*, or *Apolutici*, sprang from the Encratites and Oethari, and flourished in the 3rd century. They professed to have all things in common, to abstain from marriage, and the use of wine, flesh, &c.; but little more is known respecting them. The second sect belongs to the 12th century, and were first known in Germany, near Cologne. They rejected the authority of the Pope, and the rites and ceremonies of the church; they were peculiar in holding it unlawful to take an oath, in permitting their hair and beards to grow to an enormous length, &c., preferring celibacy to wedlock (calling themselves the chaste brothers and sisters), and in each man having a spiritual sister, with whom he lived in a domestic relation. Bernard of Clairvaux wrote against the sect, and many of them were burned as heretics. The founder of the third sect was Gerhard Segarelli, a mechanic of Parma, who, in 1260, went forth as a preacher of repentance; and gradually a

number of others joined him. There being nothing startling in their doctrines, they were, for upwards of twenty years, allowed to pursue their course unmolested, and they extended their labours beyond the limits of Italy. At length, the rapid spread of their doctrines excited the attention of the Church, and Honorius IV., in 1286, issued a bull against them, which was followed four years later by another by Nicholas IV. Opposition, however, only led them to inveigh more boldly against the errors and corruptions of the Church of Rome, which they described as the Babylon of the Apocalypse. They were now persecuted as heretics, and many of them perished at the stake; among others, Segarelli, in 1300. He was succeeded by Dolcino of Novara, originally a monk, a man much his superior in education and mental qualities, who, after travelling for some time in Italy spreading the tenets of his sect, but everywhere dogged by the Inquisition, retired for safety to Dalmatia. After a time he again made his appearance in Italy; but, being still an object of persecution, he established himself, with about 2,000 of his adherents, male and female, on the mountain Zebello, in the diocese of Vercelli. In 1305 a crusade was proclaimed against him, and for two years Dolcino, with consummate skill and bravery, defended himself against his enemies, till famine effected what force could not accomplish, and the remnant of famished Apostolics were compelled to surrender. Dolcino, after undergoing the most cruel tortures, which he bore with the greatest fortitude, was put to death at Vercelli. So great was his influence that after his death his followers were frequently named Dolcinists. In Dante's "Inferno," canto xxviii., the poet describes himself as being conducted by Virgil into the ninth gulf of Hell, where heretics and schismatics were suffering torture. Among them was Mahomet, who desires the visitor to carry back to earth a message to Dolcino:—

"Bid him, if he wish not
Here soon to follow me, that with good store
Of food he arm him, lest imprisoning snows
Yield him a victim to Novara's power,
No easy conquest else."

The Florentine historian, Giovanni Villani, says Dolcino was followed by more than 3,000 men and women, who "lived promiscuously on the mountains together like beasts;" and that he was "taken by the people of Novara and burnt with Margarita his companion, and many other men and women." Cristoforo Landino, a commentator on Dante, of the 15th century, writes of Dolcino with less ecclesiastical bitterness, and states that he was possessed of singular eloquence, and that both he and Margarita endured their fate with a firmness worthy of a better cause. In Lombardy and the south of France remnants of the sect existed in the beginning of the 15th century.

APOSTOOLIAN, *ap-os-too'-li-ans*, were a sect of Mennonites which sprang up in the year 1664, and took the name from Samuel Apostool, an eminent minister among the Mennonites.

APOTHEOSIS, *ap-o-the'-o-sis* (Gr. *apotheosis*, a deification), in ancient Mythology, is a term applied to the change which a mortal was supposed to undergo when he was raised to a god. Among the ancient Greeks and Romans, there prevailed a belief that certain of their heroes were, after death, raised into the order of the gods. In later times the term was more especially used to signify the ceremony by which the

Roman emperors were deified after their death. Fire was applied to the funeral pile, and while it was burning an eagle was let loose from the top, and was supposed to carry the soul of the emperor up to heaven, after which time he was worshipped with the other gods. Not only emperors, but their relations and friends were thus deified. Sixty persons altogether are recorded as having been thus raised to divine honours from the time of Cæsar to that of Constantine.

APPARITION, *ap-pa-rish'-on* (Lat., *apparere*, to appear). From almost the earliest ages of the world, there appears to have existed a belief in phantoms or spectral appearances, assuming various forms, in many cases those of departed relatives and friends, which have become visible to the beholder under different circumstances, leading them to believe that they have actually seen the disembodied spirits of those who have been removed from earth. It is highly probable, indeed certain, that the greater number of stories of spiritual or ghostly appearances that have been related may be traced to a diseased or disordered state of body acting on the brain, through the nerves, exciting certain impressions and sensations in a manner so vivid that those who have experienced these sensations, resulting entirely from an unhealthy state of the system, have believed, without doubt, that the impressions produced have positively been brought about from the actual vision of those objects which an excited imagination has pictured. Dr. Samuel Hibern has advanced a theory that these spectral appearances are entirely the result of an abnormal condition of the organism of those who see them and that they are visible only to those labouring under some temporary derangement of the system, or who have become weakened by illness, or by any means which have caused a reduction of the natural strength of the body, producing a corresponding injury of rational mental power. There are, however, many cases, dismissing all those caused by over-indulgence in eating and drinking, fear, and a morbid state of the brain, in which persons, sane in body and mind, whose veracity cannot be questioned, have seen apparitions, and at such times when it seems probable that they should have the power to appear; yet it may be with justice asserted in support of the theory above mentioned, that even in these cases, the truth of which it is so difficult to question, the phantom has been seen by one person only, and may consequently be considered as an illusion of the brain. But there are also cases of apparitions seen by two persons at once, and one case is recorded when the figure was visible at the same time to four human beings and a dog. The story to which allusion is here made, is related in Gilbert's "History of Cornwall" and copied from the MS. account written by Dr. Ruddell, then minister of Launceston, of the appearance of a woman to himself and others in 1665. Of course there may have been in these instances deliberate falsehood, and the same may be said of more modern statements; but it is difficult to believe that persons of reputation, some of whom are still living, should wilfully attempt a deception of the kind, the certain result of which must be contemptuous incredulity. Statements of this kind are not few, but many; and some ancient Greek and Roman writers believed that man possessed a spirit (*eidolon*), besides a soul and a body, and that the *eidolon*, in the shape of the deceased, sometimes hovered about the grave, or

made itself visible to relations and others. Sir David Brewster attempted to explain the matter on purely physiological principles, and remarked, as a physical fact, that "when the eye is not exposed to the impressions of external objects, or when it is insensible to these objects in consequence of being engrossed with its own operations, any object of mental contemplation which has either been called up by the memory or created by the imagination will be seen as distinctly as if it had been formed from the vision of a real object." This explanation, however, does not satisfactorily apply to cases where apparitions have been, and no operation of the memory or imagination can be traced in connection with the object seen; and there are hundreds of narratives in which nothing of the kind can be traced, and which depend for credence on the character for veracity of the narrators. Such stories are either truths or falsehoods; and one must decide, according to fair rules of evidence and knowledge of human motives, as to their validity. Of course, there are many cases of unconscious self-deception, as when a person in a strange bedroom sees by the dim light of the fire what he believes to be the figure of a man or woman, but which, in a clearer light, is shown to be an article of dress thrown on a chair or hanging from a peg. No doubt many ghost stories rest upon no better foundation. Sleep follows the brief waking, and in the full light of day the person can see no resemblance between any object in the room and the object he believes he saw two or three hours before, and yet they may be the same. There have, too, doubtless been cases where an event strongly appealing to the feelings, as the unexpected death of a loved person at a distance, gives rise to what may be termed a deceptive memory, inducing the belief that a mysterious indication of the occurrence was received at the time. There are wilful inventions, such as the ghost story which Defoe prefixed to a dreary book to make it sell. It is an easy way of disposing of a perplexing and apparently well substantiated story to say that it must be either self-deception or invention; but there remains behind something which as yet neither science nor shrewdness can satisfactorily explain, and we must probably know much more than we do at present about the strange problems of psychology, and especially of the sympathetic influence of mind upon mind, before we can ever approach a solution. Of late years the belief in apparitions has received a new and enormous impetus by the declarations and pretensions of believers in spiritualism, in connection with which there are some not readily explained phenomena, allied with a very great amount of impudent and easily detected imposture and swindling. (See SPIRITUALISM.)

APPEAL, ap-peel' (Fr., *appeler*), in Law, is the removal of a complaint from a court inferior to a superior court, being in the nature of a writ of error. The new Judicature Act (1873) constituted a court of appeal consisting of the Lord Chancellor, the Lord Chief Justice of the Queen's Bench Division, and six other Judges, styled Lords Justices of Appeal. The full Court of Probate hear appeals from the court of the Judge Ordinary. In matters cognizable by justices of the peace, an appeal (unless prohibited by statute) lies to the Quarter Sessions, and now, by 20 and 21 Vict. c. 43, an appeal from their judgments or decisions on points of law may be had to one of the divisions of the High Court of Justice. In certain cases in

the County Courts, appeals are made therein to the Court of Probate, whose decisions are final, and the decisions of the Courts of Quarter Sessions can also be appealed against. The archbishop of each province is the judge of appeals from the archdeacons' and consistory courts. (See ASSIZE OF BATTLE.)

Criminal Appeal in Scotland.—The High Court of Justiciary, composed of seven Judges of the Court of Session, and presided over by the Lord Justice-General, is the final court of appeal in criminal cases.

APPEARANCE, ap-pier'-ans (Lat., *appareo*) I appear or give attendance, in Law, the term *appearance* has reference to an ancient state of practice, by which the litigant parties personally, or by their respective attorneys, actually confronted each other in open court. The object is now effected by the party causing a minute or memorandum to be filed in the office of the court, which he may do in person or by his attorney.

APPENDANT, ap-pen'-dant (Lat., *appendens*, hanging, fixing, or fastening to), in Law, is a thing of incorporeal inheritance, belonging to another inheritance that is more worthy, as an advowson, common, court, or the like, which may be *appendant* to a manor; common of fishing appendant to a freehold; land appendant to an office; a seat in a church to a house. (See APPURTENANCES.)

APPERCEPTION, ap'-per-sep'-shon (Lat., *ap* for *ad*, to, *perceptio*, perception), is a term applied in mental philosophy to that state or kind of perception which reflects upon itself, by which we are conscious of our perceptions and can reflect upon the operation of our own minds. The term was first introduced by Leibnitz.

APPOINTMENT, ap-poi'-ment (Fr., *appointment*, from Lat., *ad-punctum*, to a point), in Law, is generally considered as one of the common-law conveyances or modes of disposition, and is a deed, will, or instrument of a derivative nature, relative to or dependent on some precedent, deed, or insurance, in which a power to appoint to certain uses, or in favour of particular persons, or to divert the property or fund into such channels as the appointer, by the power given, is authorized or enabled to do. The term is also applied to an office, employment, or place of profit, which is called an appointment, and to the act of investing with, or placing a person in an official employment or emolument, which is called an appointment thereto.

APPORTIONMENT, ap-por'-shon-ment (Lat., *ad portio-nem*, to settle the share, part, or allotment of each), in Law, is a dividing of rent or income into parts, according as the land out of which it issues is divided among two or more; as, if a stranger recovers part of the land, the tenant shall pay, having regard to that recovered and what remains in his hands; but, in general, a rent-charge, or things that are entire, cannot be made the subject of apportionment; and, by 4 and 5 Will. IV. c. 22, it is provided that in cases of all fixed periodical payments, payable under any instrument executed when the interest of the recipient determines, by death or otherwise, the payments shall be apportioned so that he or his representatives, and the person entitled by succession or reversion, or in remainder, shall have their respective proportions up to and from the time at which the prior title or interest ceased. But this does not apply to rent reserved

by lease of lands or tenements, as the party liable under the lease is still to make payment of the whole to the party who would be entitled if the statute had not been made; the latter, however, being liable to account to the person claiming the apportionment. By a later Act, 33 and 34 Vic. c. 35, the operation of the law is extended to rents, annuities, salaries, pensions, and all periodical payments.

APPRAISEMENT, *ap-prai-se-ment* (Fr., *apprécier*, to value, 'set a price upon').—The act of rating, valuing, or setting a price on estates or effects, or dilapidations or repairs, by a person who is a competent judge, and who, for certain purposes must be licensed. When a distress is levied for rent, before the goods can be sold to satisfy the distraint, the distrainer must cause them to be appraised or valued by two appraisers, who must be previously sworn by a constable to put a true value on them according to the best of their judgment. In accounting for legacy duty, the Commissioners of Inland Revenue require an inventory and appraisal of goods or property remaining unsold, in order to ascertain the value upon which the duty in respect thereof shall be charged, which inventory is retained by them unless it be stamped. Every person (except a licensed auctioneer) who acts professionally as an appraiser must take out a yearly licence at a cost of £2. The duty payable on appraisements is as follows:—

Valuation not exceeding	£50.....	£0	2	6	
"	"	100.....	0	5	0
"	"	200.....	0	10	0
"	"	500.....	0	15	0
	If exceeding	500.....	1	0	0

For valuations under £50, there is a slight duty. Appraisements made for legacy duty are exempt, but not if made for increase or return of probate duty. In Scotch law the corresponding proceeding is known as *appréciation*.

APPREHENSION, *ap-pre-hen-shon* (Lat., *ad*, to, and *prehendo*, I seize or lay hold of), literally signifies the taking hold of or grasping with the hand. In Philosophy, it is applied to that act of the mind by which it conceives of a thing without passing any judgment upon it. Hence it is used to express an inadequate or imperfect idea of a thing, and is opposed to comprehension. There are many truths which we apprehend, but which we cannot comprehend; as the great mysteries of our faith. "It belongs to the idea of God that he may be apprehended, but not comprehended by his reasonable creatures." If He were not so, He would not be God, or the being that comprehended Him would be God also.

In Law, the word is applied to the arrest; by legal authority, of offenders taken in the act, or of suspected persons. (See *ARREST*.)

APPRENTICE, *ap-pren-tis* (Fr., *apprentre*, to learn). Apprentices are usually bound by indentures for a term of years, with their own consent, without which the transaction is not binding, except in the case of parish apprentices, who may be bound with the consent of two justices till twenty-one years of age. A variety of statutes regulate the manner in which parish apprentices are to be bound, assigned, registered, and maintained. This subject is now placed under the paramount custody of the Poor-law Commissioners, who have power to introduce new rules from time to time as they may think fit; and pro-

visions are made by which justices of the peace are empowered to settle disputes between such apprentices and their masters, and to discharge the former from their indentures upon reasonable cause shown. Similar powers also belong to the justices in the case of all other apprentices. They may commit them to prison for three months for breach of duty, in cases in which not more than £25 premium is paid. In usual cases, the terms are arranged between the master and the friends of the apprentice as to the hours of service and maintenance, and remuneration of the apprentice. A master cannot legally compel his apprentice to work an unreasonable length of time, to do an unlawful act, or to work on Sunday. The bankruptcy or death of the master is a discharge of the indentures. But by the *custom of London*, if a master die, the apprentice is bound to continue his services to the widow, provided she carry on the same trade; and by the like custom a freeman may turn over his apprentice to another freeman. The Chamberlain of the City of London has jurisdiction to hear complaints against, or by, apprentices to freemen of the city. If in the indentures there be any covenant by the masters or friends of the apprentice for maintenance, the executor or administrator of the deceased party is bound to make provision for the same as far as the assets will allow. A master may administer reasonable corporal chastisement to his apprentice for a breach or neglect of his duty, but he cannot discharge him. It is, however, advisable for the master to apply to the justices rather than to take the law into his own hands. He may bring an action against the parent or other person who has by the indenture agreed for the due performance of the stipulations. There is no remedy by action against the apprentice himself, if he be an infant, except by the *custom of London*. An action lies by the master for enticing away or harbouring his servant or apprentice. An apprentice is not liable to serve his master after he attains twenty-one years of age; but the master has his remedy against the party who has covenanted that the apprentice shall serve his time. If the premium be less than £10, and the apprentice absent himself from his master's service, he is liable to serve beyond his term for so long a time as he shall have absented himself, or make satisfaction, or be imprisoned for three months; and the remedy is cumulative. An Act for the protection of apprentices, &c., was passed in 1851. The apprentice is entitled to the indenture bearing the stamp-duty chargeable in respect of the premium. The stamp-duty on apprenticeship indentures is 2s. 6d., if no premium is paid; and in case of premium, 5s. for every £5 or fractional part. Efforts have been occasionally made, but without success, by trades unions to compel a master to limit the number of his apprentices. The system of indoor apprenticeship is now dying out, apprentices living at their own homes like journeymen, and being paid by piecework, but on a reduced scale.

APPROBATION, *ap-pro-bat-shon* is that act or disposition of the mind by which we assent to a thing with some degree of pleasure or satisfaction.

In Scotch Law, approve and reprobate are technical expressions signifying that no person can be permitted to accept and reject the same deed or instrument; as, in the case of a legatee under a will, he cannot take that which could not be his but by virtue of the disposition of the will, and at the same time to

keep what, by the same will is given, or intended to be given to another person.

APPROPRIATION, *ap-prov'-pri-ai'-shon* (Lat., *Appropriatio*, applying or taking to one's own use), in Law, a person has, during his life, the freehold, in himself, of the parsonage house, the glebe, the tithe rent-charge, and other dues; but these are sometimes *appropriated*; *appropriation*, therefore, signifies the perpetual annexing of a benefice to some spiritual corporation, either sole or aggregate, being the patron of the living or benefice.

APPROPRIATION CLAUSE, a clause in the Irish Tithe Bill unsuccessfully introduced by Lord John Russell, in 1836, whereby any surplus revenue that might accrue by the working of the Act was to be appropriated to educational purposes. The Bill was rejected by the Lords, and abandoned. (See **TITHES**.)

APPROVER, *ap-prov'-ver* (Lat., *accusator*, prover), is a person who, indicted of treason or felony, and arraigned for the same, confesses the fact before pleading, and appeals, or accuses his accomplices of the same crime, in order to obtain his pardon. He has to take an oath to reveal all treasons and felonies that he knows of. If he fail to establish the statement, by the evidence he afterwards gives, or if he is guilty of equivocation, mental reservation, or fraud, he forfeits all claim to protection, and may be tried, convicted, and punished on his own confession. By the Scotch Law, absolute security to the approver is given, as to any subsequent punishment for the special offence; but if he prevaricate, or deal falsely, he may be punished for contempt of court or for perjury.

APPURTENANCES, *ap-pur'-ten-ans'es* (Fr., *appartenir*, to belong to), in Law, are things, both corporeal and incorporeal, appertaining to another thing as principal; as, hamlets to a chief manor; and common of pasture, piscary, &c., also liberties and services of tenants, and outhouses, yards, orchards, and gardens, are appurtenant to a house or messuage. (See **APPENDANT**.)

AQUARI, *ai-kwa'-re-i*, a sect said to have been founded by Tatson, in the second century, the members of which refused to drink wine even in the sacrament.

ARBITRATION, *ar-bi-trai'-shon* (Lat., *arbitrium litis*), is where contesting parties submit the action, suit, or any or all matters in dispute, to the judgment of an indifferent person (*arbitrator* or *referee*), or persons, to decide the controversy; and where more than one is appointed, it is usual to appoint, or leave the arbitrators to appoint, an umpire (*imperator* or *impar*); to whose sole judgment it is then referred. The decision, in any of these cases, is called an *award*, which is final if not set aside by a court for informality. The Railway Acts of 1843, the Public Health Act of 1848, and the Common Law Procedure Act of 1854, and some more recent Acts, contain provisions rendering arbitration in some cases imperative. By the Judicature Act, four referees of the Supreme Court of Judicature were appointed. The Arbitration (Masters and Workmen) Act was passed in 1872.

In International Law, arbitration is one of the most recognised modes of terminating disputes between independent nations. A memorable instance of its application was the Geneva Conference in 1872, when

the "Alabama Claims," in dispute between Great Britain and the United States were referred to five arbitrators named by England, the United States, the Swiss Republic, the King of Italy, and the Emperor of Brazil.

ARCHANGEL, *ark-ain-jel* (Gr., *arche*, chief, and *angelos*, an angel), a term employed to denote a high order of angelic beings. In Scripture the term is only applied to Michael, and is nowhere employed in the plural. Holy Writ seems to indicate that there are different degrees and orders among angelic beings, but gives no specific information on the subject. (See **ANGELS**.)

ARCHBISHOP, *arch-bish'-op* (Gr., *arche*, chief, and *episkopos*, bishop), is the title given to a bishop who, besides exercising episcopal authority in his own diocese, has an admitted superiority, and a certain jurisdiction, over the bishops in his province, who are sometimes called his suffragans. He is also sometimes called primate or metropolitan. The title came into use in the 4th century. At first the term was considered as equivalent to patriarch, or bishop of an imperial diocese, as Rome, Constantinople, Antioch, Alexandria, Ephesus. After the 6th century the archbishop of Rome assumed the title of Pope. In England there are two archbishops, of whom the one has his seat at Canterbury, the other at York. The archbishop of Canterbury is styled Primate of all England, and is the chief medium of communication between the crown and the clergy, being consulted by the ministers on all questions touching the ecclesiastical part of the constitution. He has precedence of all temporal peers except those of the blood royal. The Lord-Chancellor takes precedence after the archbishop of Canterbury, and before the archbishop of York, who is styled Primate and Metropolitan of England. His province includes seven dioceses, besides his own diocese of York, Durham, Carlisle, Chester, Ripon, Manchester, Liverpool, and Sodor and Man. The rest of England constitutes the province of the archbishop of Canterbury. The precise amount of superintendence or control which may be exercised by an archbishop over the bishops of his province does not seem to be very accurately defined; but if a bishop introduces irregularities into his diocese, or is guilty of immoralities, the archbishop may call him to account, and even deprive him of his office. In Ireland there are two Protestant and four Roman Catholic archbishops. Of the former, the archbishop of Armagh is styled Primate of all Ireland, and has five suffragan bishops; the archbishop of Dublin is Primate of Ireland, and has also five suffragan bishops. The election of an archbishop does not differ from that of a bishop (see **BISHOP**); but while a bishop is only installed in his office, an archbishop is enthroned. An archbishop is styled "Grace," and "Most Reverend Father in God," and writes himself "by Divine Providence;" a bishop is styled "Lord," and "Right Reverend Father in God," and writes himself "by Divine Permission." During the vacancy of a see, the archbishop is guardian of the spiritualities; and he also nominates to the benefices or dignities at the disposal of the bishops in his province, if not filled up within six months. Every bishop, whether created or translated, is bound to make over by deed the next presentation of such benefice or dignity belonging to his see, as the archbishop may choose. The arch-

bishop of Canterbury claims the right of placing the crown upon the head of a king at his coronation; and the archbishop of York claims to perform the same office for the queen consort. The archbishop of Canterbury has the power of conferring degrees in theology and law, known as Lambeth degrees, from the official residence of the archbishop, and formerly he granted medical degrees.

ARCH-CHAMBERLAIN. The Elector of Brandenburg was appointed the hereditary arch-chamberlain of the German Empire in 1356.

ARCH-CHANCELLORS were appointed by the Kings of France between 418 and 986, and when their territories were divided, the archbishops of Metz, Cologne, and Treves became arch-chancellors of Germany, Italy, and Arles.

ARCHDEACON, arch-de-kon (Gr., *arche*, chief, and *diakonos*, a servant or officer), is an ecclesiastical dignitary next to a bishop. Each diocese comprises one or more archdeaconry, over which one of the clergy is appointed to preside. He must be a priest of at least six years' standing; and his duty is to visit his archdeaconries from time to time; to see that the churches, and especially the chancels, are kept in repair, and that everything is done comfortably to the canons; and to receive from the churchwardens representations of any matter of public scandal. The visitation may take place yearly, but must be within three years. He has power to hold a court within his archdeaconry to hear ecclesiastical causes; but an appeal lies to the higher court of the bishop. The income from an archdeaconry is now so small, that the office is generally held by those who have also benefices or other preferment in the Church. The archdeacon was originally merely the chief of the deacons, who were the attendants and assistants of the bishop in church affairs. His functions were confined to attending upon and assisting the bishop in the discharge of his spiritual duties, and the management of his diocese, without having at first any jurisdiction. There are about seventy archdeaconries in England and Wales.

ARCHDUKE, arch-duke, a duke whose authority and power is greater than that of other dukes. In France, in the reign of Dagobert, there was an archduke of Austrasia; and, at a later period, the provinces of Brabant and Lorraine were termed archduchies. The dukes of Austria assumed the title of archduke in the year 1156, but the dignity was not confirmed till 1453. In the present day, none but the princes of the house of Austria affect the title.

ARCHES, COURT OF, ar'-ches (Lat., *curia de arcubus*); the chief, and most ancient ecclesiastical court, for debating of spiritual causes, whereof the judge (who sits as a deputy to the archbishop) is called the *Dean of Arches*; because he anciently held his court in the church of St. Mary-le-Bow, in Cheapside (*Santa Maria de Arcubus*), selected probably because the church was the most important of thirteen exempt from the jurisdiction of the bishop of London. The place of sitting was afterwards the hall of Doctors' Commons; but has been for several years past at Westminster. By the Public Worship Act of 1874, the judge of the Provincial Courts of Canterbury and York is also Dean of the Arches. He is the

only ecclesiastical judge empowered to pass a sentence of deprivation against a clerk in holy orders; but his jurisdiction in such cases has recently been contested.

ARCHETYPE, ar'-ke-type (Gr., *archetupos*, from *arche*, chief, and *tupos*, form), properly signifies the pattern or model after which anything is made. In Philosophy, the term was used by Plato to denote the idea or pattern of the world which existed in the mind of Deity previous to its creation, and according to which it was made. Hence all things were formed after original archetypes in the divine mind.

ARCHIMANDRITE, ark'-i-man'-drite (Gr., *arche*, chief, and *mandra*, a fold or monastery), in the Greek Church, is the title of a superior abbot, who has the supervision of several abbots or cloisters; but in some cases the title is given to the superiors of large and important convents. The Russian bishops are appointed from the archimandrites. The title is also partially in use in Sicily, Hungary, and Poland.

ARCHON, ark'-on, is a Greek term, signifying literally a ruler or commander, the title given by the Athenians to their chief magistrate. On the abolition of the regal government in Athens, after the death of Codrus, the chief power was vested in his son Medon, with the title of archon. He held the office for life, and it was continued in his family for a considerable time. They were, however, responsible to the people for the acts of their government. In 752 B.C., the term of office was limited to ten years, and, in 714, the exclusive right of the Medon family to the office was abrogated, and it was thrown open to all persons of noble birth. About 684 the duration of the archonship was limited to one year, and nine archons were elected by the suffrages of the nobles. The first was called "the" archon, and had also the title of *eponymos*, or name-giver, because the year in which he served was named after him; the second was styled *basileus*, or king, and had the care of religious matters; the third was *polmarchos*, or commander-in-chief; and the remaining six were styled *thesmoethete* or lawgivers. Solon made the qualification of archon to depend not on birth, but on property; and Aristides abolished the property qualification altogether, and throw open the archonship and other magistracies to all the citizens. In 508 B.C., Clisthenes substituted election by lot instead of suffrage. Greek authors frequently give the title to magistrates in general; the Jews sometimes applied it to members of the Sanhedrim. In the language of the Gnostics the mystical "aeons," or spiritual beings, were entitled archons; and one of their sects, especially opposed to Judaism, received the name Archontics. (See GNOSTIC.) From the time of Solon downwards, the popular assembly continued to encroach more and more upon the powers of the archons, who at length sunk from ministers of state into high municipal officers.

AREOPAGUS, OR ARIEOPAGUS, a-re-op'-a-gus (Gr., *areios pagos*, hill of Mars), the name of a hill or rocky eminence lying to the west of the Acropolis at Athens, and deriving its name either from its value as a military position commanding the Acropolis, or from sacrifices to Mars having been offered on it to the god of war. It was the place of meeting of the chief court of judicature of that city, hence called



the Council of Arcopagus. It was of very high authority, and the subject of many legends, and existed as a criminal tribunal long before the time of Solon. He, however, so far changed its character and constitution as to be in some measure entitled to be called its founder. He enlarged its sphere of jurisdiction, and gave it extensive powers of a 'censorial' and political nature. He made it to consist of exarchons, who had passed with credit the scrutiny they were subjected to at the termination of their period of office. As a court of Justice it took cognizance of capital crimes, as murder, arson, &c.; and it also exercised a certain control over the ordinary courts. Its censorial duties were of a very extensive and inquisitorial nature, for the preservation of order and decency. Religion was also within its jurisdiction, and impiety in any form was punished by it. Pericles succeeded in greatly diminishing the power of this council, and deprived it of many of its hereditary powers. It still, however, seems to have retained a great degree of power; but in later times, when corruption of manners came to prevail among the people, it necessarily pervaded also the members of the council, which thus, in a great measure, lost its moral influence and authority; but it continued to exist down to a very late period. Some hold that the apostle Paul was taken before this council; but the Scripture does not bear out this idea. It seems rather that the Athenians had taken him to the hill in order to hear him expound his new doctrines. The council existed, but with greatly diminished power, until the latter part of the 4th century.

ARGENTUM DEI, *ar-jen-tum de-i* (God's penny), was anciently the name given to earnest-money, or money given to bind a bargain. In some places it is called *aries*, or *erles*, and by civilians and canonists *arrhe*.

ARGONAUTIC EXPEDITION, *ar-go-naw-tik*, an event frequently referred to by ancient writers, Greek poets, and annalists. It was an expedition undertaken by Jason in the ship *Argo*, to bring back the golden fleece from Colchis, and is usually said to have taken place about the middle of the 13th century before the Christian era. (See BIOGRAPHICAL DIVISION, article JASON.)

ARGUMENT, *ar-gu-ment* (Lat., *argumentum*), signifies properly the ground or premises by which a conclusion is established; or, generally, it means any piece of reasoning expressed in intelligible language.

In Logic, arguments are divided according to their forms, into syllogisms, enthymemes, inductions, &c.; and specially recount various kinds of arguments which are usually reckoned as fallacies, but which are not necessarily so. They can only be accounted sophistical when they are employed with the intention to deceive the listener; that is, when they are unfairly used. Such are the *argumentum ad hominem*, adapted to the known prepossessions or admissions of the man, when an appeal is made to the peculiar character and opinions of the opponent; the *argumentum ad veritatem*, an appeal to our sense of reverence for some respected authority, or for some venerable institution; the *argumentum ad populum*, where an appeal is made to the prejudices and passions of the crowd; the argument *a timore* which rests upon the supposed safety or prudence of adopting a certain course; the argument *a consensu gentium*, or appeal to the common belief of mankind; the *argumentum ad rem*, or *ad iudicium*, which bears directly upon the real question at issue.

ARIANS, *air-i-ans*, a name usually given to

all who adhere to the opinions advanced by Arius, a bishop of Alexandria, respecting the relation of the Father and the Son in the Holy Trinity. His followers (who constituted a school of thought rather than an organized sect) maintained that Christ, the Son of God, was the most exalted of all created things, but inferior to God the Father, and produced by his free will. The opinion itself was first broached about 318 A.D., and it was publicly condemned at the council of Alexandria, which was held in 320 A.D., and in the council of Nice, which was held in 325 A.D. The orthodox church maintained the perfect equality of essence of both Father and Son, and could only express their relation by terming it eternal generation. The articles of both the Nicene and the Athanasian creeds arose out of this great Arian controversy. The divisions among the Arians themselves prepared for the Catholic church an easy victory over them, and led to their final extinction. The first split in the Arian faith took place in the western part of the Roman empire, where all opponents of the doctrine of Athanasius, that the Son was *homoousios*, or of the same essence with the Father, were called Arians; but some of these opponents clung to the doctrine already taught in the school of Origen, that the Son was *homoiousios*, or of similar essence with the Father. These received the name of Semi-Arians; but the sect broke up into some ten or twelve separate communions before it finally disappeared from the history of the Church. But the Arians made a bold struggle for existence. They ascended the throne with Valens, in 364 A.D.; but Theodosius restored the dominion of the ancient church. The creed was altogether extinct in the Roman empire at the beginning of the 5th century. It continued to flourish among the Goths, the Suevi in Spain, the Burgundians, the Vandals, and the Lombards, among which latter people it survived down to 662 A.D. In England, the doctrine was partially revived by Dr. Samuel Clarke and by William Whiston, but, generally, the name Anti-Trinitarians, or Unitarians, is preferred to the old name of Arianism, the creed which both of those sects profess to avoid. (See UNITARIANS.)

ARISTOCRACY, *ar-is-to-k-ra-se* (Gr., *aristos*, best, and *kratein*, to rule), in its original acceptance, denotes that form of government in which the ruling power is vested in the best men, whether by birth, wealth, or personal distinction. Personal excellence, however, was usually regarded as a necessary element in the character of those constituting an aristocracy. It was opposed to *oligarchy*, which was regarded as a perversion of aristocracy, and in which the dominant power was in the hands of a few, who ruled for their own advantage. In the idea of aristocracy, therefore, was included that the administration of affairs should be for the general good, and not for any one class. In modern times, those governments have usually been termed aristocratic in which a small privileged class of noble or wealthy persons either governed absolutely or shared the government, in various proportions, with the sovereign or the people. In a more general sense, it is applied to any form of government in which a minority of adult males constitute the ruling class; and is opposed to democracy, in which the ruling power is vested in a majority of adult males. Lord Brougham's definition is somewhat different. "Where," says he, "the supreme power in any state is in the hands of a portion of the community, and that portion is so constituted

that the rest of the people cannot gain admittance, or can only gain admittance with the consent of the select body, the government is an aristocracy." Sometimes the word aristocracy is applied not to any form of government, but to a particular class of persons in a state. In this sense it was never used in ancient times; but it is common with modern writers. The former distinction is dropped, and an aristocracy in this sense is not necessarily connected with the government, and may exist under any form of rule. It is in this way sometimes used as synonymous with nobility; in a wider sense, it is applied generally to the rich, especially titled persons, as distinguished from the rest of the community.

ARISTOTELIAN PHILOSOPHY, *ar-is-to-tel'i-an*, is one of those systems of speculation which arose from the teachings of Socrates, and which, from the unity and grandeur of the genius of its founder, took a strong hold of the mind of Greece, and, since the revival of letters, of Western Europe. Aristotle attempted in his philosophy to steer a middle course between the high idealism of his master Plato and the low sensationalism of the physical school of Heraclitus. It is said that he listened to Plato's lectures in the Academy for twenty years. He was unquestionably, perhaps, the foremost scientific thinker that ever lived. His genius was at once lofty and minute, highly speculative and curiously detailed. Aristotle combated with much keenness the ideal theory of Plato, or that which expounded the Deity as holding in himself the archetypal ideas after which the world was fashioned, and which it was the business of reason and science to discover. But, while denying these ideas of his master, he nevertheless agreed with him in the view, that knowledge contains an element radically distinct from sensation. He differed again from the Eleatics and the Epicureans, inasmuch as he denied that sensation could account for the whole of knowledge; but maintained, with them, that without this sensation, knowledge would be impossible. The celebrated maxim, that "there is nothing in the intellect which was not previously in the sense," if not Aristotle's, at least expressed well a side of his doctrine; but, when he insists upon the distinction between the necessary and the contingent, the absolute and the relative, he rises altogether above the sphere of sensation, and takes his place emphatically with the reason. Thus he steered a middle course between idealism and sensationalism; but in what precise line he moved is by no means clear. He nowhere has expounded his doctrines, and he is very chary of definition. Perhaps the best characterization of his philosophy is to say, that it was a system of empiricism, or one based upon experience, modified, often considerably, by the rationalism of Plato. The language in which his philosophy is couched is brief, pregnant, and peculiar; and his system not only has afforded a test of the critical acumen of those who have taken to studying him, but it has afforded, besides, a nice test of advancement in the knowledge of the Greek language, to read Aristotle with intelligence and promptitude. Philosophy, according to Aristotle, is properly science arising from the love of knowledge. There are two sorts of knowledge—mediate and immediate. From immediate knowledge, which we gain through the experience of particulars, we derive mediate knowledge, by means of argumentation, whose

theory it is the office of logic properly to expound. Logic is therefore the instrument of all science; but only *quoad formam*, for it is experience which supplies the *matter* to be worked upon. The *formal* part of reasoning he accordingly expounds better than any man either before or since his time. He created logic indeed, though he nowhere defines it; but the book which contains it is ordinarily called the *Organon*. No later thinker has been able to materially increase the value of what Aristotle wrote on the syllogism. "His was the proud distinction of having discovered and fully drawn out the laws under which the mind acts in deductive reasoning." He bases his logic most profoundly upon the laws of contradiction, and of excluded middle, and he even recognizes that of sufficient reason as a regulative principle in the evolution of truth. His analytical method greatly affected the theology of the Church, and increased, if it did not originate, the scholasticism of the Middle Ages. (See SCHOLASTIC THEOLOGY.) After logic he took up nearly all the sciences, rational, empirical, and mixed, except one alone; viz., history. He seems to have divided philosophy into logic, physics, and ethics, or into speculative and practical knowledge. Speculative philosophy contemplates the real order of things, irrespective of human control; practical philosophy deals with affairs voluntary and accidental. Real substances are either invariable or variable; while sublunary affairs are variable and perishable; the Deity alone is imperishable and unchangeable; but, Aristotle held it to be incredible that God takes any interest in the affairs of man. Nature is the sum of all existences which are disclosed to us by our perceptive faculties. The knowledge of nature is properly the knowledge of the laws of bodies in motion. Nature, cause, accident, end, change, infinitude, space, time, and motion are included in this science. The three elements of existence are matter, form, and privation; and change is possible as respects substance, quantity, quality, and place. Motion, like time, has neither beginning nor end; and the first thing to which motion was applied was the heavens. *Physiology* is indebted to Aristotle for its first essay. The soul is, according to him, the active principle of organized life. It is distinct from the body, yet, it is inseparable from it. Its faculties are production, nutrition, sensation, thought, and will, or impulse. His remarks on the principle of common sense, on consciousness, on imagination, on memory, and on recollection, nearly all of which he was the first distinctly to recognize, are very valuable, and will repay a careful perusal even at the present day. *Metaphysics*, or, more properly, the first philosophy, according to Aristotle, is his attempt to science Being in the abstract. The leading characteristics of the latter existence he analyzes into the ten categories of substance, quantity, quality, relation, time, place, situation, possession, action, passion. With this arrangement he connected the question of the First Being, whose felicity is alone complete, and whose existence is alone immutable. The ruling idea of his practical philosophy was that of a sovereign good, and final end or aim of action. This final end he denominated happiness, which is the result of the perfect energies of the soul, and is the highest of which our nature is capable. It arises from the perfect exercise of reason, and is ordinarily called virtue. This he describes as the mean between two extremes, which is the character of

nearly the whole of his philosophy. He distinguishes the moral virtues into the seven cardinal ones, of which justice, in a sense, embraces all the rest. Under the head of Right, he distinguishes that belonging to a family from that belonging to a city. A perfect unity of plan reigns throughout his morals, politics, and economics. Both of the latter have for their object to show how this perfect virtue, already described, may be attained in the civil and domestic relationship, through a good constitution of the state and the household. The principle of the science of Politics is expediency, and its perfection consists in the suitableness of means to the end proposed. By this principle Aristotle proves the legality of slavery; and all education he refers to the ultimate end of political society. One valuable peculiarity of Aristotle's writings is that he gave the history of opinion on each subject as a prelude to a scientific consideration of the subject itself, and thus originated what is now known as the history of philosophy. Among those sciences which he found partly cultivated, but which he greatly advanced, are rhetoric, ethics, and politics. The best edition of Aristotle's entire works is that by Bekker, published in 1831, the result of collation of more than a hundred manuscripts. English translations are generally very unsatisfactory. A good acquaintance with the principles of his philosophy may be gained by the help of the writings of Mr. Grote and Mr. Lewes.

Authentic Works.—Many treatises attributed to Aristotle are undoubtedly spurious. The genuine extant works are thus enumerated:—*Topics*, *Prior Analytics*, *Posterior Analytics*, *On Sophistical Refutations*, *Art of Rhetoric*, *Nicomachean Ethics*, *Politics*, *Art of Poetry*, *A Physical Discourse*, *On the Heavens*, *On Generation and Destruction*, *Meteorologies*, *Researches about Animals*, *On Soul* (with five appendices), *On Parts of Animals*, *On Locomotion of Animals*, *On Generation of Animals*, *The Metaphysics*.

ARK, NOAH'S, *ark*, the name given to the vessel built by Noah for the preservation of himself, family, and the several species of animals during the Deluge. It is fully described in the 6th chapter of the book of Genesis. (See DELUGE.)

ARK OF THE COVENANT, in the religious ceremonial of the Jews, was a box or coffer of shittim-wood, made by Divine direction by the children of Israel in the wilderness, and afterwards deposited in that part of the temple called the Holy of Holies. The description of the ark is given with great minuteness in the Old Testament books of Exodus, Numbers, Joshua, and Kings. There was nothing within the ark save the two tables of stone on which were inscribed the ten commandments. By theologians the ark is generally considered a type of Christ. The ark itself was carried to Babylon at the time of the great captivity, and does not appear to have been brought back, and so never to have been in the second temple. There is no figure of it among the sacred vessels of the temple represented on the Arch of Titus at Rome. In the apocryphal second book of Maccabees, it is stated that the ark was buried in the grave of Moses. Sacred arks or chests were connected with the worship of various nations of antiquity; and in Egyptian hieroglyphs an ark with winged figures is represented.

ARMADA, *ar-ma'-da*, from a Spanish word, signifying a naval armed force or fleet of war, but specially applied to the great Spanish

fleet sent by Philip II. of Spain against England in 1588. It was composed of 150 vessels, carrying 2,650 guns, and having on board 20,000 soldiers, besides volunteers, and 3,000 seamen. It was styled by the Spaniards the "Invincible Armada." This vast armament was dispersed, and almost destroyed, by the English vessels, and by great storms, only 53 ships returned to Spain, and these in a wretched condition.

ARMAGNACS, *ar-mah'-naks*, a political party in France, followers of the Duke of Orleans, murdered by the Burgundians in November, 1407. The name is taken from that of the Count of Armagnac, the father-in-law of the Duke. In June, 1418, about 3,500 of the Armagnacs were massacred at Paris by the followers of the Duke of Burgundy.

ARMAMENT, *ar-ma'-ment* (Lat. *arma*, arms), a force equipped for war, either naval or military. The term is also applied to weapons of war employed either in sea or land service.

ARMED NEUTRALITY, the name given to the confederacy formed against England by Russia, Sweden, and Denmark in 1780, and renewed in 1800. The ground of the alliance was that neutral flags protect neutral vessels, and as that principle was contrary to the maritime system of England, the British Cabinet remonstrated, and war ensued, resulting in the bombardment of Copenhagen and the dissolution of the Armed Neutrality.

ARMENIAN CHURCH, *ar-me-ni an*, is a term applied to that section of the Christian Church which was established in Armenia. As early as the 2nd century, Christianity is said to have been introduced into the country, but it was not firmly established there till the 4th century, by the exertions of Bishop Gregory; and in the 5th century the Bible was translated into the Armenian language by Mesrob. In the controversy respecting the two natures of Christ, the Armenians declared for the Monophysites, and formed themselves into a separate church, which they termed the Gregorian, after Bishop Gregory. They believe that Christ had only one nature, and that the spirit proceeds alone from the Father. They hold the "seven sacraments;" but in baptism, with which they conjoin confirmation, they sprinkle three times, and dip as often. At the communion they use pure wine and leavened bread. Extreme unction is only administered to ecclesiastics, and that immediately after, and not before, death; but the laity have prayers said over them. They believe in the worship of saints, but not in purgatory. The liturgy is said to date from the first century, and to be founded on that of the Church of Jerusalem, but remodelled by St. Gregory, who introduced, with some alterations, the Nicene creed. Prayers for the dead are used. The head of the Church, called *Catholicos*, resides at the monastery of Etchmiadzin, near Brivan; and to this place must every Armenian perform a pilgrimage once in his life. The secular priests must marry once, but are not allowed to have a second wife. The Armenians, as a body, have always resisted all the attempts of the Roman Catholics to become united with them; yet there are certain of them in Italy, Poland, Galicia, Persia, and some parts of Russia, that have come under the Papal supremacy; but they still have their own form of church government. From the wide dispersion of the Armenians, their doctrines are considerably diffused.

ARMIGER, *ar'-mî-jer* (Lat., *arma*, arms, and *gerere*, to bear), literally one who bears arms. The expression was formerly applied to the attendant or esquire of a knight. It is a term of dignity now obsolete, entitling the bearer to hold rank above a gentleman, but below a knight. (See **ESQUIRE**.)

ARMINIANS, *ar-min'-i-ans*, are the followers, or those who entertain the opinions of Arminius, a Protestant divine, who flourished in Holland about the beginning of the 17th century. He maintained that God had predestinated the salvation or condemnation of individuals only from having foreseen who would and who would not accept of offered mercy. After his death, in 1609, his followers rapidly increased, and were vehemently attacked by the Calvinists. In 1610 they addressed a petition to the States of Holland for protection, from which they got the name of Remonstrants. (See **REMONSTRANTS**.) The Calvinists put forth a counter-remonstrance, and, in 1614, the States issued an edict granting full toleration to both parties. This displeased the Calvinists, who continued their persecutions, and at length, in 1619, the doctrines of the Arminians were condemned by the Synod of Dort, and their clergy were driven from their churches, and forbidden to exercise the ministry in public. In consequence of this decision, many left the country, and took refuge in France, England, and other places. The views of the Arminians are summed up in the following five articles:—1, That God had, from all eternity, determined to save all who, he foresaw, would persevere in the faith, and to condemn all who should continue in unbelief. 2, That Christ died for all men; but that only those who believe are really saved by his death. 3, That man is of himself incapable of true faith, and therefore must be born again, of God, through Christ, by the Holy Spirit. 4, That all good works are to be attributed to the grace of the Holy Spirit, which, however, does not force a man against his own inclination. 5, That God gives to the truly faithful the power to resist sin. With respect to the possibility of a fall from the state of grace, Arminius and his immediate followers were undecided; but his followers came afterwards to believe that it was possible. After 1630, the Arminians were again tolerated in Holland; but, from this time, their opinions underwent a considerable change. They have inclined more and more to freedom of thought and the rejection of creeds and confessions. They build chiefly upon the necessity of moral duties and good works, and allow each one to interpret the Holy Scriptures for himself. They reject many articles of faith, and do away almost entirely with the necessity of succour from the Holy Spirit. The Arminians, or Remonstrants as the sect is now named, have, however, dwindled away to a very small body, making not more than 5,000, the largest congregation being at Rotterdam; but their tenets, more especially regarding predestination, have been adopted by various other denominations, as the Wesleyan Methodists, as well as by numerous individual members of other churches.

ARMISTICE, *ar'-mîs-tis* (Fr.), is a truce or suspension of hostilities between two armies or nations at war, by mutual consent. It sometimes takes place when both parties are exhausted; at other times it is had recourse to with a view to

arrange terms of peace. It may be either general or partial; the former between two countries, the latter limited to particular places, as between two armies, or between a besieged fortress and the besiegers. The former in general requires ratification, but the latter is in the power of the commanders of the troops. Any infringement by either party of the conditions of the truce entitles the other to commence hostile operations without previous intimation.

ARMS, MESSENGER AT. (See **MESSENGER-AT-ARMS**.)

ARMS, SERGEANT AT. (See **SERGEANT-AT-ARMS**.)

ARMY, *arm'-e*, a term derived from the French word *armée*, and denoting a body of men trained and disciplined for military service, under the command of a chief or leader, with a gradation of subordinate officers. The term is usually applied to the regular or standing army of a nation; sometimes, however, it is employed to include also the militia and volunteers. A number of regiments sent out on a particular expedition under the command of one person is also called an army. An army is composed of a certain number of corps, each consisting of brigades, regiments, battalions, and squadrons. When such a body takes the field, it may be divided into several lesser corps, to each of which the term army may be applied, and different work may be assigned; thus—A *blockading army* takes up its position near a city, or port, and blocks all ingress or egress to or from the environed city. A *covering army* is for protection, and is encamped near the passes, places, or towns which it is intended to cover or protect. A *flying army* is usually composed of horse and foot soldiers, with but little artillery, and is moved rapidly from place to place, to succour beleaguered garrisons, and make unexpected attacks on the enemy. The *main army* includes the greater number of the troops engaged, and the movements of the others are subsidiary to its operations. Armies of *observation* and *reconnaissance* take up strong positions for the purpose of watching the enemy and keeping him in check, while a *siege army* is camped round a town or fortress for the purpose of capturing it. The earliest trained armies of which we have any account were those of Egypt. Almost at the earliest period of which any authentic records exist, there were professional warriors and trained forces of infantry were led on expeditions by military leaders. About the time of the sixth dynasty, nearly 2,000 years before the Christian era, an army of negroes, from the regions of Ethiopia, was formed and employed in subduing the wild tribes on the borders of the Red Sea. The Assyrians and Babylonians had immense armies continually engaged in warlike operations against adjoining nations, and in expeditions to Arabia, Syria, Phœnicia, and Egypt. Saul established a standing army in his kingdom of Israel, and under David it was considerably increased, and very efficiently trained. Solomon introduced cavalry into the army, and also chariots, which in all ancient armies were much prized. Subsequently the Persians came to be distinguished for their martial achievements. They were the first great nation to introduce a highly developed military organization, and possessed a standing army which in many respects resembled those of

modern days. The strength of the Persian army consisted in its cavalry, who were noted for their bravery and impetuosity in attack. The army with which Xerxes invaded Greece is said, including the sea forces, to have amounted to upwards of two millions and a half of fighting men. According to Arrian, Darius brought into the field against Alexander, 1,000,000 infantry, 40,000 cavalry, 200 chariots armed with scythes, and 15 elephants. Allowing for possible exaggerations, these numbers may be taken as evidence that the Persian army was very great. In Greece, split up as it was into a number of petty states, a warlike spirit was early engendered, and one great object of the Greek rulers was to organize a physical training and an education specially fitting their subjects for war. The Spartans were pre-eminently noted for military prowess, and that was largely due to the institutions of Lycurgus, by which they were taught to accustom the body to hardship and the mind to suffering, and to practice abstinence and self-denial. They paid great attention to arrangement, and were the first to introduce the phalanx, a particular mode of arranging the infantry. (See PHALANX.) As regards the military strength of the Athenians, we are told that they had 10,000 heavy-armed troops at Marathon, and 8,000 heavy-armed, and as many light-armed, at Plataea. The Macedonians may almost be said to have had no army until Philip, their great king, came to the throne. His wars with the Athenians, and other Greek states, taught him how much his hardy shepherds needed training, and he thereupon made many improvements in the arms and arrangement of his soldiers. He made the phalanx deeper and closer than it had been among the Spartans, and introduced spears 24 feet in length; so that in the phalanx the spears of the fifth rank projected three feet beyond the first rank. He also organized bodies of cavalry, and was the first to maintain a standing army in Greece. The Macedonian army was further improved by his son Alexander, in the train of whose army we, for the first time in Greek history, find artillery, in the shape of *balistæ* and *catapultæ*. The army of the Carthaginians differed from the Greek armies in that it was composed chiefly of mercenary troops, or at least levies from different countries; and yet these troops defeated the Romans in several pitched battles. The Carthaginian forces, in the time of Hannibal, may be moderately estimated at, at least, 100,000 men. The Roman army in its best days surpassed in organization and discipline that of any nation that preceded it. The training was of the severest description, not being confined to mere military matters, but directed also to the development of the soldiers' physical and mental powers, inuring them to labour, fatigue, and hardships, and inspiring them with boldness and self-reliance. The basis of the Roman army was the legion, which comprised both infantry and cavalry, and at first consisted of about 5,000 men; but afterwards the number was increased, till, in the later period of its history, it amounted to from 5,000 to 6,000 men. A legion was commonly composed of *hastati*, young men in the flower of youth, and who were placed in the first line in battle; *principes*, or men of middle age, who formed the second line; and *triarii*, or veterans, who constituted the third line. Besides these, each legion had 300 cavalry and *velites*, or light infantry, who were the youngest men in the legion, and were armed

with bows, slings, and javelins for harassing the enemy. Afterwards the legion came to be divided into cohorts, without regard to the lines. There were 10 cohorts in a legion, 3 maniples in a cohort, and 2 centuries in a manipulus. Accordingly, in a legion of 6,000 men, a century consisted of 100, and hence its name. The total number of Roman legions under Augustus was 25, under Alexander Severus, 32; but, during the civil wars, the number was much greater. In the latter days of the empire, the corruption and love of ease which then characterized the Roman people also manifested itself in the army, discipline was relaxed, and at length their splendid army degenerated into a feeble militia, unable to withstand the attacks of the barbarians of the North, by whom the empire was finally overthrown. Military service, soon after this, became the tenure by which occupiers, all over Europe, held their lands from the sovereign; and, while the barons enjoyed unlimited authority over their vassals, and were frequently at war with their neighbours, there were no great armies. When a king wanted fighting men he summoned his nobles, who in their turn summoned their vassals. In the 11th century the Crusades roused the minds of men, and mighty armies were marched into Asia to deliver the Holy Land from the dominion of the infidel; but the combatants on both sides seem to have been little better than tumultuous masses impelled by fanaticism to deeds of valour. Charles VII. of France was the first, after the fall of the Roman empire, to introduce standing armies in Europe. After his war with England (1445), under pretence of keeping always in readiness a force sufficient to defend the kingdom against sudden invasion, when he disbanded his other troops, he retained under arms a body of 16,000 infantry and 9,000 cavalry. He appropriated funds for their support, and appointed officers to command and discipline them. The kings of France were enabled to carry on warlike operations with greater vigour and to a greater extent than formerly; and the expedition of Charles VIII. into Italy confirmed the superiority and reputation of a standing army. This led to an entire change in the military system of Europe. Those who had to contend with France had to adopt similar establishments, till at length standing armies became general all over Europe. In the 'Thirty Years' War, Gustavus Adolphus greatly changed the character and tactics of armies. He departed from the dense formation of his predecessors, introduced lighter weapons, and made many improvements in the artillery, by which quicker and more complicated movements became practicable. In the wars of Louis XIV. of France, great improvements were introduced in the art of war, under such generals as Turenne, Luxembourg, and Condé, while opposed to them were Marlborough, Eugene of Savoy, and other eminent generals. Standing armies now attained an extent hitherto unexampled, and Louis XIV. after the peace of Nimègue, had an army of 138,000 men. When Frederick the Great of Prussia ascended the throne, in 1740, he found himself at the head of an army of about 80,000 men, in a high state of efficiency. This army he greatly increased and improved during his successive wars, till Prussian tactics became a pattern for all the other states of Europe. The lead among the chief military powers passed from the Prussians to the French, with whom it remained until Napoleon was finally defeated by Wellington.

in Spain, and again at Waterloo. The largest army ever put into the field was that led by Napoleon I. into Russia, in 1812. The terrible power of conscription enabled that emperor to rapidly raise an immense number of men. The law of conscription, brought forward by Jourdan, in 1798, declared every citizen liable to serve as a soldier for five years—between the ages of twenty and twenty-five. The whole male population, therefore, of these ages were enrolled, and called upon to serve when required. Since that date this law has been the basis of French military organization, and, with important modifications, of other continental countries also. The greatest of these modifications was that introduced by the Prussians after the treaty of Tilsit, in 1807. By the terms of this treaty, Napoleon restricted the Prussian army to 43,000 men. In order to evade this clause, the soldiers, after being trained for a few years, were gradually drafted off to their homes, and their places filled by recruits. By this system every man became a trained soldier liable to be called upon to serve.

British Army.—Before the Norman Conquest, every freeman bore arms for the defence of his country. The thanes or nobles were mounted, and the bulk of the people formed the infantry. Under the Conqueror, the feudal system was introduced, by which the sovereign could at any time command the services of the knights and barons, who in their turn rallied a number of vassals to their standard. In process of time, however, professional soldiers arose, and the armies consisted mainly of paid troops. The profession of arms came to be a profitable one, and many a younger son went off to seek his fortune in the king's wars, either as knights, esquires, or as one of the lower grades of fighting men. With the reign of Charles I. a new state of things arose; the king attempted to maintain a standing army by billeting the troops on the people, and forcing loans for their support, but the attempt failed. After the Commonwealth, the Commons allowed Charles II. to keep a household regiment of about 5,000 men; but it was not until the reign of William and Mary that a standing army was finally established. This was done with the sanction of Parliament, who trusted to the Bill of Rights and Act of Settlement to prevent its illegal use. The fact, also, that the Commons held the purse, and could at any time stop the payment of the soldiers, has been an additional safeguard. Under William and Mary, the strength of the army stood at 65,000 men, and from that time to the present the Commons yearly sanction the number of men considered necessary for the security of the kingdom, and vote money for their payment. Thus the army may be said to exist only from year to year, and only by the annual permission of the House of Commons. The great distinction of the British army is that service in its ranks is entirely *voluntary*, and any subject of the crown may enlist. Many much-needed reforms were instituted in 1854, numerous minor departments were gradually abolished, until at length, in 1870, the whole administration of the army was centred at the War Office. Previous to 1871, officers obtained their commissions by purchase. This system was abolished by the warrant of July 26th, 1871, and first commissions as sub-lieutenants are now given to successful candidates at open examinations, and the promotion to superior posts is made by seniority. These higher ranks are—lieutenant, captain, major, lieutenant-colonel, colonel, general officer, colonel commandant, &c. A system of compulsory retirement of officers came into effect on the 1st of January, 1881, and great measures of army reform were laid before the Commons by Mr. Childers, the War Minister, on the 3rd of March in the same year. This new organization came into effect on the 1st July.

Strength of the Army.—The British regular army now consists of 22 regiments of cavalry, including a regiment of Life Guards, 1 of Royal Horse Guards, 7 of Dragoon Guards, 3 of Dragoons, and 18 of Hussars and Lancers; a regiment of Royal Artillery, consisting of 3 brigades of horse, and 12 brigades of field and garrison artillery; a corps of Royal Engineers; 122 regiments of infantry, including the three regiments of Foot

Guards (Grenadier, Coldstream, and Scots); and the Rifle Brigade. Soldiers who have served seven years with the colours must serve for five years more in the Reserve, during which time they are liable to be embodied for actual service in case of emergency; and there is a second Reserve, composed of men who are willing to enter voluntarily on a further period of four years' service. Attached to the army are a Commissariat and Transport Staff, and an Army Hospital Corps. The total number of effective men in the regular army, exclusive of those serving in India, is about 132,000.

Auxiliary Forces.—The Militia called out for drill for a short period annually, and liable to be sent abroad in an emergency, 120,000; Yeomanry Cavalry, a mounted militia of 38 local regiments for home service, occasionally summoned to drill; and the Volunteers, a body of about 245,000, consisting of 4 regiments of light horse volunteers, about 45 regiments of artillery volunteers, 14 of engineer volunteers, and 94 regiments of rifle volunteers.

Organization of the Army.—The field-marshal is limited to 6 in number on the paid establishment; there are 10 generals, 25 lieutenant-generals, and 95 major-generals, giving a total of 140 general officers. The nominal strength of the cavalry regiments varies from 498 to 542 rank and file; of the infantry, excluding the Guards, from 820 to 1,050. From 100 to 150 is the number of men attached to a battery of artillery. By the new regulations of 1881, nearly all the infantry regiments, formerly distinguished by numbers, became "territorial regiments," with local designations, and to each regiment is allied the militia force of the district. This new arrangement caused considerable dissatisfaction, from the fact that the officers and men were attached to the numerical designation of their regiments, which preserved the recollection of great achievements, and that portions of one regiment were transferred to another, the identity of each corps being thus confused or lost. For instance, the South Staffordshire regiment (which as a name has no historical significance) is composed of one battalion of the old 38th and one of the 80th.

Staff and District Commands.—Great Britain and the Channel Islands are divided into 12 districts—Northern (head-quarters, York), Eastern (Colchester), Western (Davenport), Southern (Plymouth), Chatham (Chatham), South-Eastern (Dover), Home (Horse-Guards, London), Woolwich (Aldershot), North-British (Edinburgh), Jersey, Guernsey, and Alderney.

Enlistment.—This is voluntary, and care is taken that a recruit shall have a clear knowledge of the conditions of service. A recruit must be 19 years of age, and of physical strength equivalent to that age; and the period of service is seven years with the colours and five years in the Reserve, during which time he may follow his ordinary occupation, but must allow an eight days' drill annually; except in the household cavalry (the Life and House Guards) where enlistment is for twelve years with the colours.

Administration of the Army.—This is under the control of the Secretary of State for War (see WAR OFFICE) and of the Field-Marshal Commanding-in-Chief, the head of the Military Department of the War Office, who is assisted by the Adjutant-General to the Forces, the Quarter-Master-General, the Commissary-General, the Surveyor-General, and other high officials. An independent committee considers questions on ordnance referred to it by the Secretary of State for War, to whom it reports. It consists of a president (a general officer), a vice-president (naval), and eight other members—two naval, three Royal Artillery (one representing the Indian Office), one Royal Engineer, and two civil.

Indian Army.—In 1858, the British Parliament directed that the military forces of the East India Company should be deemed the military forces of Her Majesty, and be under the control of the Secretary of State for India. About 65,000 English troops are now maintained there, commonly together with 125,000 native troops (mainly composed by Englishmen), giving a total of 190,000 composing our Indian army. For military purposes, India is divided into three departments—Bombay, Madras, and Bengal. The chief power is vested in the Viceroy of India, who acts under general orders from the Home Govern-

ment. Recent Official returns report that the combined forces of the native chieftains reach 315,000 men.

Canadian Army.—There are 2,000 soldiers in Canada belonging to and in the pay of the British Government; but, in addition to these, there is a large volunteer force and newly organized militia called into existence by an Act passed in March, 1866, "to provide for the defence of the Dominion." By this Act all male inhabitants, being British subjects, are liable to serve from 18 to 60, many exemptions, however, being granted. The force is divided into four classes, denoting the order in which the men would be called out if necessary—1st, all single men from 18 to 30; and, single men from 30 to 45; 2nd, married men or widowers with children between 18 and 45; and 4th, all between 45 and 60. The militia is divided into the active army and the reserve, the strength of the former being fixed at 45,000; if sufficient volunteers do not present themselves to keep up this number, the ballot is resorted to. The number of the reserve is reckoned at 656,000, but hitherto they have not been organized or drilled. Canada is divided into eleven military districts—the army spread over them in proportion to their size. The ultimate command is vested in Her Majesty, who, through her government, may call to arms wholly or partially whenever necessary.

West Indian Regiments.—There are two West India Regiments, coloured troops recruited in the West Indies, and employed in service on the East Coast of Africa.

French Army.—The military forces of France have recently been completely re-organized, although conscription remains, as before, the basis of their constitution. By the new "Recruiting Law," passed by the National Assembly on 27th July, 1872, and supplemented by two further laws passed respectively on 24th July, 1873, and March 23, 1875, every Frenchman is not declared physically unfit for military service, is liable to be called upon, between the ages of twenty and forty, to enter the active army or the reserve forces. There are, however, certain exemptions; such as, only sons and members and novices of religious associations devoted to teaching. The army is divided into four parts—the active army, the reserve of the active army, the territorial army, and the reserve of the territorial army. Neither of the first two are in any way localized, but the others are spread over fixed regions. There are eighteen of these military departments, which are again sub-divided into districts under a general of brigade. The peace establishment of the whole French army is reckoned at 496,442 men and 124,779 horses. These figures include the Gendarmes and the Garde Republicaine. The war establishment, exclusive of garrison troops, is reckoned at 800,000 men. Since the Franco-German war, the military expenditure has largely increased, the rise being mainly due to the augmentation of the numbers of men enrolled. The official organization of the French army, taken from Martin's Statesman's Year Book, is as follows:—

Cavalry.—12 regiments of cuirassiers; 26 regiments of dragoons; 32 regiments light cavalry; 4 regiments Chasseurs d'Afrique; 3 regiments of Spahis.

Infantry.—144 regiments of the line (each comprising 2,000 men); 30 battalions of Chasseurs à pied; 4 regiments of Zouaves; 3 regiments of Tirailleurs Algériens; 1 regiment of Legion Etrangère; 3 battalions Infanterie Légère d'Afrique.

Artillery and Engineers.—38 regiments field artillery (each containing 10 batteries of 6 guns); 4 regiments artillery pontonniers; 10 companies artillery workmen; 57 companies train artillery; 4 regiments sappers and miners.

German Army.—Since the consolidation of the German states into one empire, the military organization of the Prussian army has been extended throughout. It is based upon the principle (which in Prussia has been in force from the year 1812), that every man fit for bearing arms shall receive military training and serve with the army. No substitution is admitted, but there are certain exemptions, as, for instance, in the case of the clergy, while young men who can pay for their own equipment and pass a certain examination, are

only compelled to serve one year instead of three with the regular army. The rule is that every German, on attaining his twentieth year, shall serve with the ranks until he is 23, for the next four years he must be in the reserve. After this he is drafted into the "Landwehr" or militia for five years, during which time he is liable to be called upon at stated intervals for practice, and to be incorporated with the regular army in time of war. Finally, he enters the "Landsturm" until he is fifty, which body is only called upon to serve within the frontiers and in times of invasion. Thus, with very few exceptions, the whole male population of Germany is trained for arms: every young man from the ages of 20 to 30 forms part either of the regular army, the reserve, or the Landwehr; while, until the age of 50, he is available for defensive purposes within the country. The immense numbers of soldiers thus obtained are divided into 17 corps d'armée, which are again sub-divided into regiments, brigades, battalions, and companies. Each company consists of about 130 men in time of peace (strengthened to 250 men, drawn from the reserves, in time of war); four companies form a battalion, and three battalions form a regiment; thus, the war footing of a regiment would be 3,000 men. Each brigade consists of two regiments, and each infantry division consists of two brigades. The corps d'armée is composed of two infantry divisions, a cavalry division consisting of six regiments, two horse artillery batteries, a reserve of seven batteries, a battalion of pioneers consisting of four companies, and a battalion of the military train. The various army corps are considered independent of each other, and including, as each does, troops of all arms, and the necessary stores can be quickly mobilized and rendered ready for action. Few days is the time given by which this can be accomplished; and, as a matter of fact, at the declaration of war by France in July, 1870, the great mass of the troops were mobilized and moved to the banks of the Rhine in 12 days. No doubt the local distribution of the army corps all over the country greatly facilitates this result. The names of the 17 army corps are those of the districts or states from which the conscripts are drawn—thus, the 1st army corps is named Prussia; 2nd, Pomerania; 3rd, Brandenburg, &c. Still further, this close localization secures great esprit de corps, whose every individual is perfectly familiar with his position, surroundings, &c., so that whenever the fiat should go forth "Prepara for war," he knows his place and exactly what is required of him. So complete is the organization, that the steps to be taken on mobilization are kept ready detailed day by day. Thus, immediately on the declaration of war, the War Ministry acquaints the chiefs of each army corps, who, in their turn, communicate with the officers below them. The great secret of the success attendant, in recent years, on the German arms lies as much in this permanent and efficient organization, as in the careful training and deadly weapons of the men. The Emperor is the Commander-in-chief, and exercises his authority through the War Ministry. The total effective strength of the German standing army, on a peace footing, is 401,000 men; while it is calculated that, without drawing upon the last reserves, such as the "Landsturm," the German empire could at any time place in the field 2½ millions of trained soldiers. The Prussian army was the first to use the breech-loading rifle—the celebrated needle-gun. During the Franco-German war, however, they became convinced that the French chassepôt was a superior weapon, and the Germans are now being armed with the "mauser" rifle.

Russian Army.—Like the other great European Powers, Russia has recently completely re-organized her army. Before 1872, her soldiers were levied from the peasants and artisans, partly by conscription, partly by free enlistment, and partly by the adoption of the sons of soldiers. Under this arrangement the peace footing of the army averaged about three-fourths of a million, and the war-establishment about a million and a quarter. In the commencement of the year 1871, a new law, entirely re-organizing the military forces, received the sanction of the Emperor, and came into operation during 1872. By this law, an annual conscription takes place in the winter, to which all men who have completed their 21st year, and are not physically unfit, are liable. The number required is

then selected by lot, and generally averages about 25 per cent. of the young men liable to serve. The purchase of substitutes is disallowed, though, as a matter of fact, it still exists. The period of service is fixed at fifteen years, four of which are spent with the standing-army, two on furlough, and nine in the reserve. During the time that soldiers are away on furlough, they may be recalled at any moment and for any purpose, while the reserve can only be called out in case of a great war or national danger. As in Germany, the educated classes are allowed certain advantages by which the term of service is shortened. In addition to the regular army and the reserves, the military resources of Russia include the irregular troops, the principal of which are the Cossacks, and the national legions. The latter include able-bodied men from 27 to 38, not drawn for the conscription and not having served with the army or navy. These receive a short course of training at the time of the conscription, and are then sent to their homes. The Cossacks have always been free men, they pay no taxes, but instead, are bound to render military service. The Grand Duchy of Finland, and several half-savage tribes, who own the sway of the Emperor, also furnish contingents. In time of peace the Cossacks number about 66,000, and are distributed over the wild Asiatic provinces, maintaining the lines of communication. This force, however, is very greatly increased in war-time, and can rapidly be raised to 100,000, which is their war footing. The peace establishment of the regular army is close upon 900,000 men; war footing, one and a quarter millions; while, when the changes we have just sketched have taken full effect, it is estimated that Russia will be able, easily and speedily, to put into the field three and a quarter millions of trained soldiers.

Austrian Army.—The Austrian army is now formed upon the model of the German. After the disastrous wars with Prussia and Italy, the military resources of this country were completely re-organized, and it is now a highly-trained and efficient force. It has been said that the Austrian army always appeared magnificent on parade, but always seemed to suffer defeat on the field; of late years, however, the military development has been so great that it may be expected to reverse this verdict in any future struggle. On attaining his twentieth year, every young man, physically fit for bearing arms, becomes liable for military service, the term of which is twelve years; three of these must be spent with the active army, seven with the reserve, and the remaining two in the landwehr. The war establishment of the standing-army is fixed at 800,000 men, the peace establishment at 270,000. In addition to these forces there is the landsturm, only called out to resist invasion, the liability to serve in which ceases at the age of 45. The number of young men coming of age annually averages from 140,000 to 150,000. Of these 65,000 are drafted into the regular standing-army, about 70,000 into the reserve and the balance into the landwehr. The strength of the landwehr averages 600,000 men. The new drill of the Austrian army gives great independence of action to captains and subalterns, and is very much less rigid than formerly. The rifles used are breech-loaders, partly formed on the "Wand" and partly on the "Werndl" pattern. The standing-army of Austria is thus constituted:—Infantry: 80 regiments of the line; 14 military frontier regiments; one regiment of Tyrolean jäger and 13 battalions of field jäger; twelve companies of ambulance and hospital service; 3 cavalry; 14 regiments of dragoons; 14 regiments of hussars; and 2 regiments of lancers. Artillery: 12 regiments of field artillery; 12 battalions of fortress and two battalions of mountain artillery. Engineers and train on a peace footing is 9,866, on a war footing, 45,114. Of miscellaneous establishments, consisting of the commissariat, survey, sanitary, topographical, and other departments, there are 23,858 on a peace footing; on a war footing, 33,762.

Italian Army.—Italy is making great efforts to put her army on an equal footing with the other great military powers of Europe. It is now based upon the German law of universal liability. Of the number of young men who annually come of age, about 70,000 are passed into the standing-army, and the rest into the reserve, where they have to practise annually for forty days and then return home on furlough, but are liable to be recalled in case of war. The law of military organization now in force was passed on September 30th,

1873, by which the standing-army is divided into seven corps d'armée, each consisting of three divisions, and each division of two brigades of infantry and four or six battalions of Bersaglieri, or riflemen, two regiments of cavalry, and from nine to six companies of artillery. These troops are fully distributed over the kingdom, being spread over 11 territorial military districts, each under the command of a general. The time of service is three years in the standing-army (five years with the cavalry), and nine years in the reserve. Every young man is liable to be enrolled either in the standing-army or the reserve, and the only exemption is in favour of those who can pass certain examinations, as in Germany.

Danish Army.—By the law of army re-organization passed by the Rigsdag on July 6th, 1867, all the able-bodied young men who have reached the age of 22 are liable for eight years service in the regular army, and for eight years subsequent service in the reserve. There are two courses of drilling—the first which all must go through is for recruits, lasts for six months in the infantry, five in the guard, field artillery and engineers, and nine in the cavalry; the second course lasts for nine months in the infantry, eleven in the cavalry, and one year in the artillery and engineers, and is confined to those who are considered to have profited but little by the first course of training. Non-commissioned officers, selected for promotion, and a certain number of men selected by lot to carry on garrison duties are also included. In addition to these two periods of training, each corps meets for drill, each year, from thirty to thirty-five days. It will thus be seen that the present organisation of the Danish army, although based upon universal service, is in fact a compromise between the German and militia systems. Under the new organisation Denmark is now divided into five brigade districts, each of which is again subdivided into two territorial regiments. This is arranged in such a way that no district or town (except the capital) shall belong to more than one territorial regiment. Each territorial brigade consists of a brigade of infantry and a regiment of cavalry. It also furnishes a contingent of artillery. The total official strength of the army is given at 38,000, exclusive of reserves, although, of course, the number actually with the colours varies according to the time of year. The reserves are estimated at 13,000.

Swedish and Norwegian Army.—Notwithstanding that the crowns of Sweden and Norway are now united, each country retains a separate organisation for its military forces. The Swedish army is divided into five distinct classes of troops—1st, The *Värnfors* or enlisted soldiers; and, The *Indelta* or national militia, kept and paid by the landowners aided by a certain proportion of the state income, every member of which has, besides his small annual pay, his *torp* or small cottage with piece of ground attached, which remains his, during his whole period of service, often extending over thirty years, or even longer. The *Indelta* practice for a month every year. 3rd, The militia of Gothland, which however are not compelled to serve beyond their own isle of Gothland; and 4th, The *Bevaring* or conscription troops raised by annual levy from the male population between the ages of 20 and 25 years. 5th, Volunteers. The law of conscription was introduced into Sweden in 1812, and the right of purchasing substitutes was abolished in 1872. The total armed forces of Sweden are estimated as follows:—*Enlisted Troops*, including the *Indelta*—Infantry, 25,000; cavalry, 5,000; artillery, 5,000; with 231 guns and 1,000 engineers; *Bevaring*, 95,000 troops of all arms; *Gothland Militia*, 8,000 men, and *Volunteers*, 19,000. In Norway, the soldiers are raised mainly by conscription, but a few by enlistment. By two laws passed in the Storting, in 1856 and 1876 respectively, the military forces are divided into troops of the line, the military train, the *Landvaern* or militia, the civic guards, and in time of war the *Landsturm*. To supply these forces, all able-bodied young men over 21 are liable to the conscription, with the exception of the inhabitants of the three northern districts, who are exempt from all military service. The infantry conscripts undergo a fifty days' training in the recruiting schools, while for the cavalry and recruits of other arms the term is ninety days. They are then sent home on furlough with obligation to meet annually for practice. The term of service is ten years, divided between seven years in the line and

reserves, and three in the Landvaern or militia. The latter is only liable to service within the frontiers. The troops of the line average 12,000 or 13,000, reserves 19,000, and the Landvaern 11,000. The number of troops of the line may never exceed 18,000, except by permission of the Storting, but the king has permission to keep a guard of volunteers at Stockholm, and for the purposes of common training 3,000 men may be transferred from Norway to Sweden and vice versa.

Swiss Army.—From a military point of view, Switzerland is remarkable as being the only country which has no standing army. By the 13th article of the Constitution of 1848 the maintenance of a standing army within the limits of the confederation is strictly forbidden, but by the 18th article of the Constitution of 1874 it is enacted that, "Every Swiss is liable to serve in the defence of his country." For this purpose a military training is given in the schools to nearly all boys above eight years of age. This training is not compulsory, but it is participated in by the great majority of the pupils. Every able-bodied young man of twenty is liable to military service, and every canton is bound to furnish 3 per cent. of their population yearly to the militia, and the military forces are divided into Bundesauszug and Landwehr, the former of which is subdivided into the *elite* and the *reserve*. The raw recruit is trained for 28 to 35 days, after which he is placed on the rolls of the Bundesauszug or militia, and enters the infantry, cavalry, riflemen, or the artillery, according to his requirements. He is then allowed to return home, only returning for an annual drill of 4 fortnight's duration while in the *elite*. He remains a member of the militia until he is 39, after which he enters the Landwehr until he completes his 44th year. The available forces are estimated at 106,000 men Bundesauszug and reserve, and 97,000 in the Landwehr.

Spanish Army.—In 1868, the Spanish army was remodelled upon the French system. All able-bodied young men, after the age of 20, are liable to be drawn for the permanent army, and serve therein for four years. They then pass into the active reserve, or second reserve, according to the number of men required. The nominal strength of the Spanish army, including the forces in the island of Cuba, is given at 180,000 men.

Portuguese Army.—Is formed partly by conscription and partly by voluntary enlistment. Freedom from conscription may be purchased by a fixed sum of £80, payable to the government. The time of service is 8 years, 5 of which have to be spent with the regular army and 3 in the militia reserve. The official strength of the army is fixed at 30,000 men in time of peace, and 63,000 in time of war; but the finances of the country do not permit of more than half that number being kept under arms. At present, between 16,000 and 17,000 men represent the Portuguese army, besides which there are 8,500 infantry and artillery in the Portuguese colonies, together with a reserve of 9,500 men.

Turkish Army.—There are three classes of troops, comprising the Nizam, or standing army; the Etagos, or first reserve; and thirdly, the Redifs, or second reserve; this last is again subdivided into three classes, called respectively the Sinf Evril, the Sinf Sauni, and the Sinf Salls. In principle, every male subject of the Sultan is liable to service, but as non-Mahometans have to pay an exemption fee, and as Mahometans themselves may claim exemption on payment of the same tax the burden of the conscription falls on very few; indeed, the army is chiefly maintained by voluntary enlistment, the pay being sufficiently good to attract poor Mussulmen. The period of service is fixed at 20 years—4 in the Nizam, 2 in the 1st reserve, and the remainder spread over the other reserves. The actual strength of the Turkish army is but imperfectly known. After the recent Treaty of Berlin, which separated various provinces from her, the numbers were estimated at 350,000 men. Before the treaty the estimate was 488,000 men. In addition to these forces, the Sultan has at his disposal many irregular half-savage troops, drawn from Circassia, &c., which have roughly been estimated at 100,000.

Belgian Army.—The strength of the Belgian army is fixed at 40,000 men in time of peace, and 100,000 men in time of war. The soldiers are obtained by conscription, every able-bodied young man, on attaining his

19th year, being liable. The period of service is fixed at eight years, of which, however, two-thirds are spent on furlough. In addition to this regular army, there is the *Garde Nationale*, a sort of civic militia, organized to maintain order in times of peace and to defend the country in time of war. The chief military arsenal is at Antwerp, the fortifications of which were greatly strengthened in the years of the Franco-Prussian war. The country is divided into two military districts, the first including the provinces of Antwerp and of East and West Flanders, and the second, Brabant, Hainault, Luxembourg, Liege, Lorraine, and Namur.

United States Army.—By an act passed by Congress, in 1874, it was ruled that, from the year 1875, in time of peace the army should not exceed 25,000 men. Congress, however, is empowered to raise and support any number of men at any time it may be considered needful, and as a matter of fact, during the Civil War nearly four millions of men were levied by one side or the other, though, shortly after the cessation of hostilities, the army had shrunk again to its normal strength. The recruits are obtained solely by voluntary enlistment. The term of service is five years. The infantry are organized upon the plan, formerly in existence in England, of single battalions of ten companies. The officers are furnished from the West Point Military Academy, a military college equal to any in Europe. The number of young men educated here far exceeds the requirements of the army, and it is thus the means of spreading a good knowledge of military matters throughout the country. It was to this cause that the Southerners owed so many excellent officers during the Civil War. The army consists of 10 regiments of cavalry, 25 of infantry, 5 of artillery, and 1 engineer battalion, besides the cadets of the military academy. Two regiments of cavalry and three of infantry are composed of negroes, but are commanded by white officers. The country is divided into four military districts, which are again subdivided into departments, of which there are ten in all.

Army Agent.—A person officially authorized to manage the monetary affairs of regiments in the army, and acting as a kind of military banker. Formerly, they were the mediums for effecting purchases of commissions; but another most important part of their business consists in acting as private bankers for officers. The agent is selected by the Secretary of State. Every month the War Office supplies money to the agent for the expenses of the regiment, the payment of officers, and other regimental purposes.

Army Estimates.—Early in the year, the officials of the War Office prepare estimates of the military force and expenditure for the ensuing financial year; and, when approved by the Cabinet, they are submitted to the House of Commons by the Secretary or Under Secretary of State for War, then the grant of the required sum of money is granted by the House; the Accountant-General of the War Office makes the requisite drafts or demands from time to time, and the Paymaster-General honours them. The various charges are grouped under seven principal headings: regular forces, auxiliary and reserve forces, ordnance establishments and manufactures and purchases of stores, works and buildings, educational establishments, administration of the Army, and non-effective services.

Army List. the name of a publication issued monthly and quarterly by the authority of the War Office, containing an enumeration of every department and regiment in the service, lists of officers, obituary, changes, and other necessary information. A private publication, "Hart's Army List," with very copious information, appears annually.

Army Schools.—Great attention is now paid to the education of the Army, and colleges, academies, and schools are established. They may be divided into three classes:—first, those intended to increase the military efficiency of the officers and men, as the Staff College, the Royal Artillery College at Sandhurst, the School of Military Engineering at Chatham, the Department of Artillery Studies at Woolwich, the School of Musketry at H. the; the second class (for preparing young men intending to enter the army) is represented by the Royal Military Academy at Woolwich; and

the third class by the Royal Military Asylum (for soldiers' children) at Chelsea, the Royal Irishman School at Dublin, and the regimental and garrison schools, in which ordinary elementary instruction is given.

Army Works Corps, a body of men, railway excavators, miners, well sinkers, and others, formed during the siege of Sebastopol, for the purpose of making a railway and roads, sinking wells, and executing similar works, for which they were better adapted by experience than the regular soldiers were; and also as the means of enabling the soldiers to be employed entirely on military duty. The engagement of the men was entrusted to Sir Joseph Paxton. The corps, which consisted of about 3,500 men, was disbanded when the war was ended.

ARNOLDISTS, a sect which arose in the 12th century, and took its name from Arnold of Brescia, a pupil of Abelard. He preached against the luxury and ambition of priests, not sparing the Pope himself, and denounced the Church as no longer the house of God. He was denounced by the Lateran Council. His followers propagated his doctrines, and were consequently held as heretics.

ARRAIGNMENT, *ar-rain'-ment* (Lat., *ad rationem ponere*; *ad-resoner*, *a-resner*, to call to account or answer), is the calling of the offender to the bar of the court to answer to the matter charged. The indictment must be read to him distinctly, although he has had a copy delivered to him. He is then called upon to plead "Guilty" or "Not Guilty." If he refuse to plead, the court may order a plea of not guilty to be recorded; and he is then given into the charge of the jury to inquire into the truth of the indictment. (See **TRIAL**.)

ARREST, *ar-rest'* (Lat., *arrestum*; Fr., *arrêter*, to stop or stay), is the beginning of imprisonment, where a man is first taken and restrained of his liberty by power of the law, with or without the process of some court or legal functionary. Arrests are either in civil or criminal cases, with this difference, that none shall be arrested for any cause of action, suit, or other civil matter, but by virtue of a precept or commandment out of some court; but for treason, felony, or breach of the peace, arrests may be made without warrant or precept; but no private person, not being a justice of the peace, sheriff, coroner, or constable, may arrest unless he has witnessed the commission of the act; but the persons named may arrest on probable suspicion. For contempt of a superior court, the person may be attached or given into the custody of an officer of the court, until the contempt be purged by compliance, or the offended dignity of the court be appeased or satisfied with the punishment undergone. Arrest in all civil cases before judgment is abolished, except the plaintiff can by affidavit show to a judge of a superior court, or of a county court, a reasonable presumption for believing that the defendant means to go abroad shortly, and to reside abroad; in which case he will grant leave for his arrest by writ of *capias ad respondendum* directed to the sheriff. (See **WRIT**.) The claim must, however, be \$50 or upwards. An action will lie for malicious arrest. No person can be arrested in a civil case on Sunday. Criminals may be arrested in England, Ireland, or Scotland, under warrants issuing from the respective authorities of the three countries; and by convention with various foreign countries, fugitives from justice (except political offenders) can be arrested.

Exemption from Arrest.—The following persons are privileged from arrest in civil cases:—Members of the royal family, and the ordinary servants of the sovereign; foreign ambassadors and their servants. A clergyman cannot be arrested while performing, or on the way to perform, divine service. Barristers, attorneys, and witnesses are privileged from arrest in going to, staying at, and returning from a court or an arbitration in a cause or matter in which they are actually engaged; peers and peeresses and members of the House of Commons are also privileged during the sitting of the House, and for forty days after every prorogation, and forty days before the next appointed meeting.

Arrest of Judgment. For defects in substance, appearing plainly upon the face of the record, not amendable nor cured by verdict, the court will arrest, or stay, the judgment. The motion in arrest of judgment must be made after the expiration of four days from the time of trial. If there are so many days in term; but it cannot be made after the expiration of the term.

ARRESTMENT, a term in Scotch law, generally having a similar signification to that of *attachment* in English law. (See **ATTACHMENT**.) It applies to a process by which a debtor may be prohibited from paying to one creditor until another is satisfied to making the property in Scotland of a person, otherwise beyond the jurisdiction of the Scotch tribunals, answerable for his debts (known as *founding jurisdiction*), and to the attachment of wages for the payment of a creditor.

ARRONDISSEMENT, *ar-rond'-is-mahn* (g) (Fr., *arrondir*, to make round), a term employed in France to distinguish the subdivision of a department. The 80 departments of France contain 362 arrondissements.

ARSENAL, *ar'-se-nal* (Lat., *ars*, *arcis*, a citadel), is applied generally to any place where naval or military stores are kept, more particularly to a large public establishment where the munitions of war are manufactured and stored. The great English arsenal is Woolwich, in addition to which may be named the dockyards and storehouses at Chatham, Portsmouth, Plymouth, Deptford, Sheerness, and Pembroke.

ARSON, *ar'-son* (Lat., *ardeo*, I burn), is the crime of maliciously, voluntarily, and actually burning the house or outhouse of another man, or wilfully setting fire to one's own house, provided one's neighbour's house is thereby also burnt; and all, not only the bare dwelling-house, but all outhouses that are parcel thereof, though not contiguous thereto, nor under the same roof, as barns and stables, may be the subject of arson. The statute law has made the malicious or wilful setting fire to almost every description of building or property subject to the same punishment as attached to the crime of arson. The different varieties of the offence are specified in the Act 24 and 25 Vic. c. 97 (Malicious Injuries to Property Act), and the punishment varies according to the nature of the offence from imprisonment for any term not exceeding two years to penal servitude for life. Previous to the passing of that Act, arson was punishable by death, and if life is lost now, the perpetrator of the act is liable to be indicted for murder. Setting fire to one of Her Majesty's vessels of war is still a capital offence.

ARTICLE, *ar'-ti-kel*, in Law, a complaint exhibited in the ecclesiastical court by way of libel declaration.

ARTICLES OF WAR are certain regulations for the government of the military and naval forces of the country. (See *MUTINY ACT*.)

ARTICLES, THE SIX, in the ecclesiastical history of England, were certain articles of faith imposed by act of parliament in 1539. (See *ANGLO-CATHOLIC CHURCH*.)

ARTICLES, THE THIRTY-NINE, are the articles of religion of the Church of England, agreed upon by the archbishops and bishops of both provinces, and the whole clergy, in the convocation held at London in the year 1562, for the avoiding of diversities of opinions, and for the establishing of consent touching true religion. The substance of these articles was first promulgated in the reign of Edward VI., and formed forty-two in number. Under Henry VIII. a committee had been appointed for the formation of ecclesiastical laws, which was renewed under his successor. It was composed of Crammer, Ridley, and others, who drew up the forty-two articles above referred to, and which were issued by the king's authority in 1553. On the accession of Elizabeth, Parker, archbishop of Canterbury, remodelled these articles, rejecting four of them entirely, and introducing four new ones, and more or less altering seventeen others. The four new ones are the fifth, twelfth, twenty-ninth, and thirtieth, as they now stand. When laid before the Convocation of 1562, further alterations were made, and the thirty-ninth, fortieth, and forty-second of King Edward's were rejected. In 1571, the articles were once more revised and altered, and assumed the form in which they now appear in the Book of Common Prayer. Some of the articles (1, 2, 9, 16, 25, 31) are adapted from the Confession of Augsburg; some (19, 20, 25, 34) resemble those drawn up by a commission appointed by Henry VIII., and annotated by the king; the eleventh, on justification, is ascribed to Crammer; and the seventeenth, on predestination, may be traced to the writings of Luther and Melancthon. All clergymen must subscribe the articles, and read them publicly in the church when taking possession of a benefice. In 1871, the students at Oxford were relieved from the necessity of signing the articles. In 1614, Archbishop Usher drew up 104 articles for Ireland, but in 1635 the Irish Church adopted the English articles.

Lambeth Articles.—In 1595, Archbishop Whitgift accepted a series of articles prepared by Dr. Whitaker, of Cambridge. They were strongly Calvinistic in tone, did not meet with approbation, and were quietly suppressed.

ARTICULI CLERI, *ar-tik'u-li kler-i*, are statutes containing certain articles relating to the church and clergy, made in the 14th Edward III.

ARTILLERY, *ar-tul ler-re* (Fr., *artiller*, to fortify). The term has, since the invention of gunpowder, been restricted to such large ordnance as cannons, howitzers, mortars, and rockets, but including also the troops required for their working, the carriages, ammunition, &c. But, in its broadest signification, the term implies all kinds of missiles employed in warfare, with the machines used in propelling them. In the Biblical book, 1 Sam. xx. 40, the term is applied to bows and arrows. The earliest military engines were probably used for casting stones of enormous weight. From the writings of Cæsar, Cicero, Livy, Seneca, and Tacitus, we gather

that the principal engines of artillery of the Romans were the balista, or ballista, for casting stones, and the catapulta, for propelling darts and arrows. Pliny assigns the invention of the balista to the Phœnicians, and the catapulta to the Syrians; but other writers—among them Plutarch and Diodorus—declare that both machines were invented in Sicily, about the same time as the battering-ram, a date not anterior to B.C. 300. We learn from Appian, that when the consul Censorinus marched against Carthage, 2,000 engines for propelling darts and stones were surrendered to him. Engines of artillery do not seem to have been known in England earlier than the invasion of the Normans; but the latter appear to have introduced such machines, in the form of contrivances for propelling arrows, at the battle of Hastings. Soon afterwards, inventions for assaulting and defending places became greatly multiplied; and, if the statements of the middle-age chroniclers may be credited, many of these engines possessed enormous powers. Although the explosive force of gunpowder was understood in the East much earlier than the 12th century, the date of its being known to Roger Bacon, yet it was not until long afterwards that firearms superseded the ancient engines of war we have hitherto included as artillery. Colonel Chesney, in his "Observations on Firearms," thus traces the introduction of the new form of artillery into Europe:—"The Moors, according to Condé, used artillery against Saragossa in 1118, and, in 1132, a culverin of 4 lbs. calibre, named Salamonia, was made. In 1157, when the Spaniards took Niebla, the Moors defended themselves by machines which threw darts and stones by means of fire; and, in 1157, Abdalmunon, the Moorish king, captured Mohadin, a fortified city near Bona, from the Sicilians, by the same means. In 1280, artillery was used against Cordova, and, in 1306 or 1308, Ferdinand IV. took Gibraltar from the Moors by means of artillery. Ibn Nassau ben Bin, of Granada, mentions that guns were adopted from the Moors, and were used in Spain in the 12th century, and that balls of iron were thrown by means of fire in 1331. Harboure, in his "Metrical Life of Robert Bruce," says that cannon, or "crakys of war," as he terms them, were employed by Edward III. in his earliest campaign against the Scots in 1327. Du Cange asserts that cannon were used by the French at the siege of Pay Guillaume, in 1338; but Rapin, on the other hand, relates, that so unacquainted were the French with these engines of destruction, that four small cannon used by Edward III. at the battle of Cressy, in 1346, contributed, as much by the surprise as the slaughter they created, to the success of the day. The earliest cannon were clumsy and ill-contrived machines, wider at the mouth than at the chamber, and consisting generally of a series of iron bars soldered together lengthwise, and hooped about with iron rings. The projectiles were made of stone. Cannon were first cast in England in 1521; and in 1535, as Stowe informs us, "John Owen began to make brass ordnance, as cannons, coulverines, and such-like. He was the first Englishman that ever made that kind of artillery in England." Certain foreign workmen in the service of Henry VIII. were the first to cast mortars in England. It was usual, about this period, to apply to cannon the names of certain birds and beasts, in fanciful allusion to their swiftness or cruelty. Thus arose the terms falcon, falconet, culverin, sacker, basil-

liak, siren, dragon, &c. At the present day, cannon are named according to the weight of the ball they propel. Thus a cannon which carries a ball of 12 lbs. is termed a 12-pounder; one that propels a ball of 32 lbs. a 32-pounder; and so on. We find mention first made of shells as a projectile at the siege of Naples by Charles VIII., in 1435. The howitzer, an improved form of mortar, was invented by Belidor, and first used at the siege of Ath in 1697. The carronade, the invention of General Robert Melville, was first used about 1779. They take their name from having been first cast at the Carron iron-works. Iron rockets, or, as they are now termed, Congreve rockets, were invented by Sir William Congreve, and were employed at the bombardment of Copenhagen.

Royal Regiment of Artillery. The whole of the artillery department of the British army is included under this name. It is now about 35,000 strong, of which nearly one-third are attached to the Indian establishment. Horse, field, and garrison artillery are divided into brigades, the former known as A, B, and C; the latter two bearing numbers up to 11. A brigade generally comprises 8 batteries of horse, or 10 of field, or 7 of garrison artillery. The various headquarters are Woolwich, York, Newbridge, Leith, Colchester, Portsmouth, Devonport, Dover, Cork and Sheerness. The administration of the Royal Artillery is under the commander-in-chief and the adjutant-general of the forces, by a deputy adjutant-general of artillery and staff. There are also an inspector-general of artillery, and a director of artillery and stores.

Artillery, Park of, is the place in a camp, or the rear of an army, where the artillery is placed. The artillery is drawn up in lines, one of which is formed by the guns, the others by the ammunition-waggons, pontoons, &c.; and the whole is usually surrounded by ropes. This name is also applied to the whole guns, waggons, ammunition, &c., necessary for siege or field operations.

Artillery, Schools of. Early in the 16th century, a school for instruction in artillery was established at Venice; and soon afterwards similar schools were formed at Burgos and in Sicily by Charles V. In most of the European states, schools for instruction have long existed in which the practical exercises include the serving and firing of guns and mortars, the laying out and constructing field batteries, and the operations of the laboratory and workshop. In this country there are the Royal Military Academy at Woolwich, established in 1741, and at the same place a department of artillery students. In the former, students enter between the ages of 17 and 20, and prepare for an examination for commissions in the Royal Artillery or Engineers. The department instructs junior officers, and facilitates their visits to fortifications and public works of foreign countries. The school of gunnery, at Shoeburyness, in Essex, subordinate to the headquarters at Woolwich, is for experiments upon ordnance, gunpowder, and projectiles, and to exercise young officers in the practical and mechanical duties of their profession.

Artillery Train, a number of pieces of ordnance mounted on carriages, with all their furniture ready for marching.

Artillery Company, Honourable. is the oldest existing volunteer corps in Britain, originated in a voluntary association, formed for the encouragement of archery in the reign of Henry VIII., and permitted by Royal patent to constitute a guild or fraternity, with power to purchase lands and use a common seal. The association was known as "The Masters, Kulers, and Commonality of the Fraternity, or Guild of Artillery of Long-bows, Cross-bows, and Hand-guns." When, in 1585, England was threatened by the Spanish Armada, this guild became the nucleus of a much larger association, composed chiefly of citizens of London. In 1610, the association, which had declined under the excitement was over, was re-constituted; and in 1638, the Corporation of the City of London presented to the company a plot of ground in Moorfields, still occupied as a drill ground, with appropriate buildings, armoury

house, mess-room, &c. Many royal personages have held the honorary command of the corps, and the Prince of Wales is now Captain-General and Colonel. The corps comprises six infantry companies, a grenadier company, a rifle company, and an artillery company. The members, who are elected by ballot, pay one guinea annual subscription and provide their uniform, arms, and accoutrements. Previous to 1840, the members elected their own officers, but since that date the Crown appoints them at the nomination of the court of Lieutenancy of the City of London.

Artillery Association, National Volunteer, established in 1865. Annual meetings for shooting for prizes are held annually at Shoeburyness.

ARVAL BROTHERS, ar'-ral (Fratres Arvales), a college or priesthood of ancient Rome, consisting of twelve members, elected for life from the highest ranks, and, during the period of the empire, including the emperor. The chief duty was to offer annually public sacrifices for the fertility of the fields. The national legends traced the origin of these *sacerdotes arvorum*, to Acca Larentia, the foster-mother of Romulus; and it is certain that the sacrifices dated from the earliest period of Roman history. It is remarkable that allusions to the brothers are very rare in literature, and that they are quite overlooked by Livy and other Roman historians. But a number of stone tablets have been preserved, on which are inscribed records of the proceedings, apparently drawn up by the brothers themselves. The great annual festival, in honour of the Dea Dia, occupied three days in the month of May. Pigs, cows, and sheep were sacrificed, and banquets and races completed the celebrations. Sacrifices were also offered on the birthday of an emperor, the beginning of a consulate, and on other occasions, and on the 3rd of January there was a special celebration.

ASCENDANT, as-sen'-dant (Lat., ascendere, to rise upwards), a term in Astrology, applied to the first or strongest house in the scheme of any person's nativity. The ascendant is so called from containing the eastern point of the horoscope, or the degree of the ecliptic rising on the horizon at the time of birth. This was imagined to exercise considerable influence on a person's life and career, according to the supposed nature or power for good or evil of the planet or sign of the ecliptic about to rise at that time, and the relative position of these and other heavenly bodies to each other in all parts of the heavens at that moment. (See ASTROLOGY.)

ASCENSION-DAY or HOLY THURSDAY, one of the great religious festivals of the Catholic Church. It commemorates the ascension of our Lord, after his last appearance upon earth. Ascension-day has been observed from the earliest times of the Church, and is believed by some to have been instituted by the Apostles themselves, or their immediate successors. It is held on the fortieth day after Easter. The week in which it occurs is called Rogation week, from the rogations (petitions or litanies) which were, and in some cases still are, used by the minister of each parish in perambulating his district, which he did on Ascension-day, or on one of the three days immediately preceding it. (See ROGATION.) Special Psalms are appointed on this day, which is also chosen for "beating the bounds" of parishes.

ASCETICISM, as-sel'-i-si-izm (Gr., askesis, bodily exercise). Among the Greeks, the term was applied to those athletes and wrestlers who were

accustomed, by rigid abstinence from all sensual and effeminating indulgences, to harden their bodies for the personal contest in the public games of the country. This is the primary signification of the word; but it soon came, among those with whom it originated, to bear a deflected or secondary meaning. In the schools of philosophy, and particularly among the Stoics and Cynics, it came to be applied to that severe discipline to which those persons subjected themselves, by mastering their passions and desires for the sake of that ideal virtue which they all sought. From these philosophers it gained a third signification in passing to the Christians. Among them it was applied to all who wrestled with Satan, with the world, and with the flesh, and thus endeavoured to exalt themselves by a severe course of personal renunciation above this world, where they were strangers and sojourners. St. Paul (1 Cor. ix. 27) says, "I keep under my body, and bring it into subjection," and also (Rom. viii. 13), "if ye, through the Spirit, do mortify the deeds of the body, ye shall live." But the earliest ascetics we read of had an eastern origin. The Brahmins and other sects in Asia carried this practice to a monstrous extent, since long before authentic history begins. The yogis and fakirs of the present time, the suicides in the sacred Ganges and under the wheels of the car of Juggernaut, are only a repetition, in a civilised age, of what was done by their remote ancestors long anterior to any authentic record we have of the country. The Buddhists, who generally dwell considerably to the east of India, carried the principle of asceticism to a great height. They despised the world; they lived a life of solitude and beggary; they mortified the flesh, and abstained from all uncleanness. And so they do to the present day. (See BUDDHISM.) The Chinese, the Persians, and even the Egyptians, have contemplated life usually in a much more just way, and have not carried their asceticism to anything like the same extreme. In the early centuries of Christianity, the adherents of the comparatively new religion were more exemplary for purity of morals than for the practice of ascetic severities. But before long, in Egypt and elsewhere, they endeavoured to escape from the sinful world in which they lived, and, by fasting and prayer, sought for Divine aid around the shores of Lake Mareotis and in other parts of the Christian world. The hermits were the most extreme professors of the practice; but it also lay at the base of the monastic system. Asceticism assumed a more intellectual shape among the Neo-Platonists of Egypt than it has ever done in any other part of the world. Its greatest names are Philo, the Jew, the father of the system, Plotinus, Porphyry, Iamblichus, and Proclus. Philo has left us a history of it in his *De Vita Contemplativa*. Even in the 2nd century of the Christian era we find societies of men and women living together under vows of continence. The tendency to outward manifestation began to grow stronger, and the inward and spiritual life began to decline in Christian communities, and this gave rise to the system of monasticism. The Greek church has kept much freer from ascetic practices than the Romish one; and even the Mahomedan system has melted to some extent under the thawing tendency of modern civilization. The Waldenses of the 11th century, the Mennonites and the Shakers, the Methodists and the Quakers, some of the enthusiastic communities of America, and the modern Sisters of Mercy,

have all had more or less of an ascetic spirit clinging to them, which seems to be reviving in the present day, as seen in the numerous sisterhoods and similar institutions springing up in England, and also in the extreme advocacy of vegetarianism, total abstinence and other self-denying practices; which, though frequently professing to be founded on a consideration of philosophy and on express moral grounds, seem a relic of the deep-seated propensity to adopt ascetic habits.

ASH-WEDNESDAY is the name given to the first day of Lent, from the ancient ceremony of strewing ashes on the head as a sign of penitence. The ashes used on this day are those of the palms consecrated on the Palm-Sunday before. The ashes are first consecrated on the altar, then sprinkled with holy-water, and afterwards strewed on the heads of the priests and the assembled people, the officiating priest repeating the words (in Latin) "Remember that thou art dust and shalt return to dust." In the Church of England appropriate services are appointed.

ASPORTATION, *as-por-tai'-shon* (Lat., *ad*, to, and *porto*, I carry), in Law, is the carrying away of goods. Thus, in all felonies, there must not only be a taking, but a carrying away. But the least displacement, by law, amounts to an asportation or carrying away.

ASSASSINATION, *as-sas'-si-nai'-shon* (Etymology uncertain), is strictly the murdering a person for hire. The term is also applied to killing by treachery or sudden violence.

ASSASSINS, *as-sas'-sins*, those who kill, by treachery and violence, persons unprepared for defence. The word *assassin* is said to have originated from a certain prince of the family of Arsacide, popularly called *Assassine*, who lived in a castle between Antioch and Damascus, and trained, in blind obedience to his commands, a number of young men, whom he employed in murdering the princes with whom he was at enmity. According to Colonel Chesney, the Assassins, or Ismaili, still hold their chief seat at Kalat-el-Masryad, in Persia, and have several strongholds in the mountains of Tripoli. They are called Assassins from their immoderate use of *haschischah* (henbane), which produces an excitement amounting to fury. The first chief and law-maker of this singular tribe was Hassan Ben Sabah, to whom the Orientals gave the name of Sheikh-el-Jebelz, but who was better known in Europe as the Old Man of the Mountain, a wily impostor, who made fanatical and implicit slaves of his subjects, by imbuing them with a religion compounded of that of the Christians, the Jews, the Magi, and the Mahometans. The principal article of their belief was that the Holy Ghost was embodied in their chief, and that his orders proceeded from the Deity, and were declarations of the Divine will. They believed assassination meritorious when sanctioned by his command, and courted danger and death in the execution of his orders. There was a regular organization with several grades of members. Next to the chief were three *Dar-al-Kirbal*, who had the control of three provinces; then came the *Dais*, fully initiated into the secrets, doctrines, and emissaries of the faith; and after them the *Reftis*, in process of initiation for the higher grade. The *Pedaries*, or *Pedaris*, were those who committed the murders, and were uninitiated. Before being sent on a mission

of blood, they were intoxicated with hashish and surrounded with sensual pleasures, to give them a foretaste of the pleasures of Paradise, to which they would be admitted if they implicitly obeyed the orders given them. In the time of the Crusades, they mustered to the number of 50,000. So great was the power of the sheikh, or chief, that the sovereigns of every quarter of the globe secretly paid him a pension; and Philip-Augustus, king of France, understanding that the sheikh had ordered his assassination, instituted a new body-guard, distinguished for their courage and activity, called *serjens d'armes*, who were armed with bows and arrows and brass clubs; and he himself never ventured in public without a club loaded with gold or iron. The Knights-Templars alone dared bid defiance to this terrible and subtle foe. Among the victims of their daggers was Conrad, marquis of Monterrat, who was murdered in the market-place at Tyro, in 1192, although some historians have attributed the crime to Richard I. For a long time this fearful sect reigned in Persia and on Mount Lebanon. Holagoo, or Hukaku, a Mogul Tartar, in 1251, dispossessed them of several of their strongholds, and about 12,000 were massacred; but it was not till some years after that they were practically extirpated by the Egyptian forces sent against them by the great sultan Bibars. Some remnants of the sect appeared in Syria in 1352.

ASSAULT, *as-sawlt'* (Lat., *assultus*, from Fr., *assailir*, to assault, assail, fall upon), is an attempt or offer, with force and violence, to do a corporal hurt to another, whether from malice or wantonness; as by striking at him with or without a weapon, though the party striking him misses his aim. So, drawing a sword; throwing a missile with intent to wound or strike; presenting a gun at a person within the distance to which it will carry, or pointing a pitchfork at a person standing within reach; holding up one's fist at him in a threatening or insulting manner; or with such other circumstances as denote, at the time, an intention (coupled with a present ability) of using actual violence against his person, constitute an assault. There are other acts which amount to an assault; but they are too numerous to be inserted in a work of this nature. For an assault, an action for damages will lie, or the aggressor may be indicted at the quarter sessions, or proceeded against by summons or warrant of justices of the peace. A common assault is a misdemeanour, and is punishable by one year's imprisonment with hard labour, but severer penalties are imposed for the various kinds of aggravated assaults.

In Military Language, a sudden and general attack made by a besieging army to obtain possession of a fortified post.

ASSEMBLY, *as-sem'-ble*, is a term formed from the French *assemblée*, which signifies literally the meeting together of a number of persons in one place for the same object or design. In a more limited sense, it is applied to important meetings of a political or ecclesiastical nature. These have usually other names; as, councils, convocations, synods, committees, &c., under which the more important of them will be found noticed.

Assembly, National, was the name assumed, on 17th June, 1789, by the commons, who formed the third estate of the general assembly convoked by Louis XVI. of France on 5th May, 1789. They constituted themselves a national assembly, to which the deputies of the nobles and clergy afterwards adhered; and framed a constitution, whence they are also termed

the Constituent Assembly. They dissolved on the acceptance of the constitution by the king, on the 30th of September, 1791, and were succeeded by the Legislative Assembly, which was to reform the civil and criminal laws, in accordance with the spirit of the new constitution. It commenced its sittings on 1st October, 1791, but was triflingly engaged in a war against the remnant of royal power, which ended in the overthrow of the throne and the suspension of royal authority, on 6th August, 1792. It was dissolved on September 21st, 1792, having first summoned a National Convention, which met on the same day. This last was invested with sovereign power to decide the fate of the monarchy, and to introduce a new form of government. National Assemblies were convened in France in 1848, and in Germany in the same year.

Assembly of Divines, or **Westminster Assembly**, was an assembly of 120 clergymen and 30 laymen (10 Lords and 20 commoners), distinguished for learning and piety, summoned by an ordinance of Parliament in 1643, to meet at Westminster, "for settling the government and liturgy of the Church of England, and for vindicating and clearing the said church from false aspersions and interpretations." There were also four clerical and two lay representatives from the Church of Scotland. Of the members summoned, twenty-five did not attend, and to supply their places, additional members, known as the super-added divines, were appointed. The Presbyterians formed a large majority, and one of the first acts was to sanction the Solemn League and Covenant. The first meeting of the Assembly took place on the 1st July, 1643, and the last on 22nd February, 1649, during which they had met 1,103 times. The chief fruits of their labours were - 1, a humble advice to Parliament for ordination of ministers and settling the presbyterian government; 2, a directory for public worship; 3, a confession of faith; 4, a larger and shorter catechism; 5, a review of some of the Thirty-nine Articles.

Assembly, General, the highest court of the Presbyterian Church in Scotland, Ireland, and the United States. The General Assembly of the Church of Scotland meets annually at Edinburgh in the month of May, and sits for ten days. It consists of representatives, clerical and lay, from the 43 presbyteries of the church, elders sent from the royal burghs, and representatives of the Scottish Universities. Its deliberations are presided over by a moderator, elected annually; and there is also present at its sittings a royal commissioner, representing the crown, but who takes no part in its proceedings. It forms the court of appeal from the presbyteries and synods. Since the disruption in 1843, the Free Church of Scotland has also its general assembly, which likewise meets annually at Edinburgh in May, and otherwise resembles the other, except that it has no royal representative. The general assembly of the Irish Presbyterian Church is similarly constituted. (See PRESBYTERY and SYNOD.)

Assembly, Unlawful. An unlawful assembly is the meeting of three or more persons intending to do an unlawful act, whether they actually do it or not.

Assembly, in military language, the second beating of the drum before a march, at which the soldiers stand to arms.

ASSENT, *as-sent'* (Lat., *ad*, to, and *sentio*, I think), is that act of the mind by which we accept something as true. It is *free*, when it is not the unavoidable result of evidence; *necessary*, when the withholding of it involves a contradiction.

Assent, Royal. (See ROYAL ASSENT.)

ASSESSED TAXES, *as-ses'-sed*, are certain taxes raised upon houses, male-servants, horses, carriages, dogs, &c., under various Acts of Parliament; the earliest of which was the 43 Geo. III. c. 99. (See TAXES.)

ASSESSOR, *as-ses'-sor*, from a Latin word implying one who sits by the side of others, a person who is sometimes associated with judicial functionaries to assist their judgments on special matters. Among the Romans, the assessor was a trained lawyer, who sat with the governor of a

province, or other magistrate, to assist him in the administration of the law. In this country, the judges of the Admiralty Division are assisted in causes relating to shipping by nautical assessors, professional sailors. In the Episcopal Courts, the bishops are aided by assessors, some of whom must be barristers. Municipal corporations elect assessors to revise the burgess lists.

ASSETS, *as'-ets* (Fr., *assez*, enough), the property of a debtor available for the satisfaction of his creditors. Assets are either real or personal. Where a man has lands in fee-simple, and dies seized thereof, the lands which come to his heir are *assets real*; and where he dies possessed of any personal estate, the goods which come to his executor or administrator are *assets personal*. Assets are also divided into *assets per descent* and *assets inter majores*. 1. Assets per descent are lands which descend to the heir of a person dying seized thereof, and owing specially or simple-contract debts. In that case, the estate is considered as assets to be administered in a court of equity for payment of the debts; the specialty debts having preference. 2. Assets *inter majores* are where a man indebted makes executors, and leaves them sufficient to pay his debts and legacies; or where some commodity or profit arises to them in right of the testator, which are called assets in their hands. The term assets is also applied commercially to any available property for the payment of a man's debts.

ASSIDEANS. (See CHASIDIM.)

ASSIENTO, *as'-se-an'-to* (Spanish, treaty), is a term specially applied to a treaty between the Spanish government and some other nation, by which the former, in consideration of certain payments, grants the latter a monopoly of supplying the Spanish colonies in America with negro slaves from Africa. As early as the reign of Charles I. of Spain, a treaty of this kind was concluded with the Menings. Similar compacts were entered into with the Genoese (1580), Portuguese (1696), and with the French Guinea Company (1702), which then took the name of the Asiento Company. In 1713, the celebrated Asiento treaty with Britain was concluded at Utrecht, and was made over by the government, for thirty years, to the South-Sea Company. One of the conditions of this treaty was, that the company had a right to send yearly to the Spanish colonies a vessel of 500 tons, laden with all sorts of merchandise. The misunderstandings that arose out of this led to a war between the two countries in 1739. At the peace of Aix-la-Chapelle, in 1748, the company had their rights for the remaining four years guaranteed to them; but they relinquished them at the convention of Madrid, in 1750, in consideration of a sum of £200,000, and the concession of certain commercial advantages.

ASSIGNAT, *as'-seen-ya* (Lat., *assignatus*, assigned), the name of the paper currency (chiefly of notes for 100 francs, but also for smaller amounts), issued by decree of the National Assembly of France, with the approbation of the king, April 1, 1790, and so called from the national property being assigned as security. The first assignats issued bore interest, but later ones did not. At first, 400,000,000 francs were issued; but, a few months later, 800,000,000 more were issued, and subsequent issues increased the number to about 45,570,000,000 francs. The consequence was that they became

of almost no value, and at length, in 1796, they were withdrawn from the currency.

ASSIGNATIONS, *as-sig'-na'-shons*, Russian paper-money, introduced early in the reign of Catherine II. about the year 1770, principally to carry on the war against the Turks. The value fell rapidly below the nominal sum for which they were issued, and for many years the assignment rouble was worth only one-fourth of the silver rouble. After the peace of 1815, however, the assignments rose until they were at a premium. They were gradually withdrawn from circulation by a ukase in 1839.

ASSIGNEE, *as-si-né'* (Lat., *assignatus*, from *assigno*, *ad* and *signo*, I mark or sign), one who is assigned or appointed by another to do any act or perform any business. It also signifies one who takes any right, title, or interest in property, by an assignment from an assignor, or by act of the law.

ASSIGNMENT, *as-sine'-ment* (Lat., *assignatio*), in law, is the transferring and settling over to another of some right, title, or interest.

ASSIZE, *as-siz'* (Lat., *assessio*). The term implies a court, place, or time when and where the writs and processes, whether civil or criminal, are decided by judge and jury. The counties, for the purpose of holding the assizes, are divided into circuits, and judges are assigned by commission to hold their assizes in every county, except London and Middlesex. (See CIRCUITS.) The term assize is also applied in history to ordinances or enactments of a court or council of state, especially in reference to the regulation of the prices of food and other articles of necessity. Such assizes are now obsolete. The word also indicates a code of laws, as the "Assizes of Jerusalem," the laws instituted by Godfrey of Bouillon, when the Latin Kingdom was established, in 1099.

Assize of Battle. By the old law of England, a man charged with murder might fight with the person who charged him, trusting to the issue of the combat for proof of his guilt or innocence. The last time this privilege was claimed in this country was in 1817, when a young man, having been accused of the murder of a girl, challenged her brother. The combat being refused, the accused was discharged. The law was immediately repealed.

ASSOCIATION, *as-so'-si-ai'-shon* (Lat., *ad*, to, and *socius*, a companion), is a union of persons or a society formed for mutual assistance, or for the joint carrying out of some definite object. (See COMPANY, CO-OPERATION, LEAGUE, and SOCIETIES.)

ASSOCIATION, AFRICAN. (See AFRICAN ASSOCIATION.)

ASSOCIATION OF IDEAS, is the name given by metaphysicians to that principle of the human mind by which certain ideas—thoughts, feelings, or emotions—become connected together in such a way as that they afterwards tend to recall or reproduce one another. All persons have experienced this mental process. Various philosophers have attempted to define the laws of mental association. According to Aristotle, they are three—resemblance, contrast, and contiguity. Hume, who has generally been followed by modern philosophers, makes them resemblance, contiguity, and causation. Some have endeavoured, again, to reduce all the phenomena of association to one great law. The

tempt of this kind was made by Augustine, and that thoughts that had once co-existed in the mind, are afterwards associated together, is evident that many of the phenomena of association may be reduced to one great class of *contiguity*—by which ideas that have been in the mind together, or in close proximity, ever after manifest a tendency to reproduce each other. In persons of uneducated or ignorant—this principle is very marked; Shakespeare's Mrs. Malvolio is an admirable instance of this, as she is filled with amazing minuteness of the various incidents that happened at the time when Sir Toby Falstaff made her a promise of marriage. However, the mind has become possessed of a number of ideas, those that have been freshly before it become associated in various ways with numerous other ideas; and here we have a law of mind analogous to the law of attraction in matter, by which an idea, instead of calling all the ideas with which it may have been associated, which would result in endless confusion, selects only certain of them. That rather than others, are selected, depends on a variety of circumstances; as, the freshness of the individual at the time, their habits, or the frequency or length of time they may have been associated together. A principle of association is that of *similarity*, in which one object is associated in the mind with another bearing some resemblance to it, or in which one suggests a whole, or a whole one or more of its parts. Most of our ideas are made up of a number of others, any one of which may suggest the whole idea, or the whole idea may suggest more of them. Thus, paper may suggest smoothness or roughness, or any of these may suggest paper. In like manner, a word may be divided into its component parts or syllables, one of which may suggest other words of which it forms a part. In this way, one word suggests another word having the same primal syllables; and hence the rhythmical combinations of the lines in poetry make it much more easily remembered than prose; and the action so frequent in proverbs renders them more readily recalled. It seems that by this principle of mental analysis the law of similarity or resemblance may be explained; the mind, as it were, taking an idea into its component parts, till it gains one feature which exactly corresponds to a feature that goes to make up another idea. An idea may suggest another idea with which it never previously been associated; this is by means of a third idea common to both. The same principle, it would seem, may be used in contrast, or that tendency of the mind to proceed from one idea to its contrary—as, from virtue to vice, from light to darkness, from wealth to poverty; there being, in every such case, an intermediate idea common to both, of which the one denotes an abundance, the other a deficiency. It is upon the association of ideas that memory depends, and it is the basis of the art of mnemonics, or artificial memory. (See *ART OF MNEMONICS*.)

SUMPSIT, *as-sump-sit* (Lat., "he has taken"), an agreement not under seal, but expressed or implied; in the former case, as a special assumption.

SUMPTION, *as-sum-shon* (Lat., *ad, to, sumptus*, taken), is the name of a festival instituted by the Roman Catholic and Greek

churches on the 15th of August in honour of the supposed miraculous ascent, or "translation," of the Virgin Mary into heaven. The first traditional account of the event was given by Gregory of Tours, in the 6th century. The 15th of August is the day observed.

Assumption of Moses, an apocryphal book containing a pretended account of the death of Moses, and of the assumption of his soul to heaven. The date of its authorship is unknown; but some writers have supposed that Jude alluded to some statements made in it in his reference to the contest between the archangel Michael and the devil "about the body of Moses."

In Logic, the name given to the minor or second proposition in a categorical syllogism. It is sometimes also applied to the consequence drawn from the propositions of which an argument is composed. Thus we say the premises are true, but the assumption is fallacious.

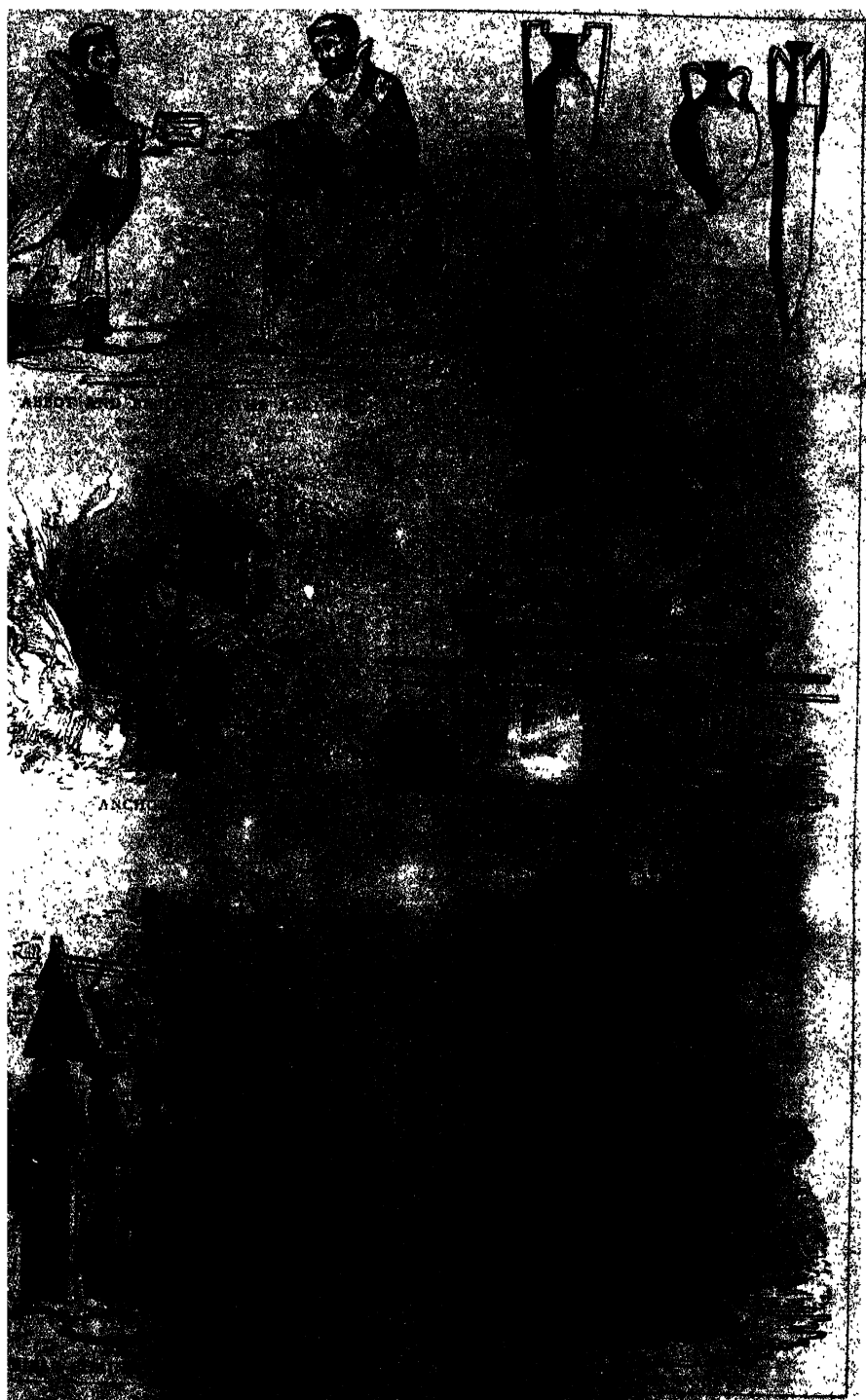
ASSURANCE, LIFE. (See *INSURANCE*.)

ASTARTE, *as-tar'-te*, a genus of Mollusca, with bivalve shells, the type of the family *Astartidae*. Only a few species are now known to exist and those limited to the North Atlantic and Arctic Ocean, but the fossil species are very numerous.

ASTER, *as'-ter* (Gr., a star), a genus of plants belonging to the natural order *Compositae*, and containing a great number of species, growing in all parts of the world. One species only, *A. Trifolium*, the sea-starwort, is a native of Britain. Some of the asters are favourite garden-flowers—namely, the New England aster (*A. Nova Angliæ*), the Michaelmas daisy (*A. Tridacnifolius*), and the China aster (*A. Chinensis*). The last is the most valued, and is one of the most showy annuals in cultivation. It was brought from China in the early part of the 18th century, and an immense number of varieties, exhibiting great diversities of form and colour, have been developed by British and continental florists. The *A. Alpinus* grows at a considerable elevation on the mountains of Europe. The genus *Aster* has lately been split into six or seven distinct genera, which together form the tribe *Asteroidæ*.

ASTRAL SPIRITS, *as'-tral* (Gr., *astron*, a star; Lat., *spiritus*, a spirit), spirits that were supposed, by those who studied demonology and witchcraft in the 15th century, to hold the first place among demons and spirits of evil. The Chaldeans, and those who worshipped the stars and fire in the early ages of the world, believed that every object in the heavens possessed an animating spirit, as the human body possesses a soul. In the Medieval times the notion arose that these spirits were either fallen angels, or the souls of the dead, or spirits deriving their origin from fire, whose location was the air. They were thought to exercise an influence for good or evil on every member of the human race. Paganism and the old alchemists believed that every one had an astral spirit peculiar to him.

ASTROLOGY, *as-trol'-o-je* (Gr., *astron*, a star, and *logos*, a discourse), the "science" falsely so called, which from remote ages has endeavoured to assign to the material heavens a moral influence over men and events; in other words, the art of making predictions from the positions and motions of the stars. In the early ages, astrology included the science of astronomy; the early astronomers, or rather astrologers, making observations entirely for the sake of acquiring, as they imagined, an insight into futurity. The history of the rise and progress of



ATHANASIAN CREED, *ath-a-nay'-shi-*
ee, a formula or confession of faith, said to
have been drawn up by Athanasius, bishop of
Alexandria, in the 4th century, to justify himself
against the calumnies of his Arian enemies. That
it was really composed by him seems more than
doubtful; and Mr. Lumby, in his "History of
the Creeds," published in 1874, asserts that it is
made up of two distinct parts, and was originally
written in Latin, and put into its present shape
between 813 and 850. No trustworthy authority
attributed it to Athanasius before 800. It was
set forth first in Gaul about 870, and gradually
extended into Italy, Britain, &c. The Greek
church accepted it about 1200. It is supposed to
have received the name of Athanasius, on account
of its agreeing with his doctrines, and being an
excellent summary of the subjects of controversy
between him and the Arians. The true key to the
Athanasian Creed lies in the knowledge of the
errors to which it was opposed. The Sabellians
considered the Father, Son, and Holy Spirit as
one in person; this was "confounding the per-
sons;" the Arians considered them as differing in
essence; this was "dividing the substance;" and
against these two errors was the creed originally
framed. The most exceptionable part of the
creed is what is termed the "damnatory clauses."
—"Whosoever will be saved, before all things it
is necessary that he hold the Catholic faith;
which faith except every one do keep whole and
undefiled, without doubt he shall perish everlast-
ingly. And the Catholic faith is this—that we
worship one God in Trinity, and Trinity in Unity,
neither confounding the persons nor dividing the
substance." This creed is appointed to be read
in the Church of England on Christmas Day, the
Epiphany, Easter Sunday, Ascension Day, Whit
Sunday, Trinity Sunday, and the days dedicated
to St. Matthias, St. John the Baptist, St. James,
St. Bartholomew, St. Matthew, St. Simon and
St. Jude, and St. Andrew. Regarding the
"damnatory clauses," the commissioners ap-
pointed in 1688 to review and correct the liturgy,
say that they "are to be understood as relating
only to those who obstinately deny the substance
of the Christian faith." Many members of the
Church of England, both clerical and lay, would
be very pleased if the use of this creed were dis-
pensated with; and in 1872 and 1873 there was con-
siderable agitation on the subject. The two
archbishops expressed an opinion in favour of
making the use of the creed not compulsory; and
in Convocation unsuccessful attempts to obtain a
modification of the language was made. A great
meeting of the laity (mostly members of the High
Church party) in defence of the Creed was held
at St. James's Hall, in January, 1873. The
Episcopal Church of the United States does not
accept the creed.

ATHEISM, *at'-the-izm* (Gr., *a*, without;
theos, God), a word of comparatively modern in-
vention as applied to that system of belief which
professes to discard the existence of a Deity.
Many persons, both in ancient and modern times,
and on very various grounds, have had the name of
atheist applied to them. Kant and many other
philosophers among the moderns have considered
the existence of Deity as an abstract speculation,
asserting that it is impossible to demonstrate it
logically; but admitting that it may be accepted
on other grounds and as a matter of faith. The
French Encyclopædists of the last century openly
professed atheism, denying the possibility of the

existence of a God, and their example has been
followed by some persons of the present time;
but, for the most part, freethinkers now profess
merely negative opinions, asserting that as the
existence cannot be proved, it is not necessary to
believe it, or to be in any way influenced by it.
This is the attitude of the Secularists. (See
SECLARISTS, AGNOSTICS, FREETHINKERS, POSI-
TIVISTS, &c.)

**ATHELING, ATHELING, OR ETHE-
LING**, *ath'-ling* (Sax., *athel*- or *ethel*-born, noble-
born), a term employed in the Saxon period of
our history to denote a particular kind of nobility.
The atheling was originally a nobleman who
possessed a certain amount of free lands, and
was thus distinguished from the nobleman who
owed service to the king, or held his lands under
servitude. As, however, the king's retainers gradu-
ally acquired a supremacy over the landholding
freemen, it is probable that the title atheling was
transferred from the one to the other. This
title was also applied to the eldest son of the
reigning monarch, or the heir-presumptive to the
throne, to whom some believe that the term was
confined. Lands were usually given to the
atheling while still in his minority; probably in
order to give the athel dignity.

ATONEMENT, *a-tone'-ment*, is a term
derived from the old English verb to atone, *i.e.*,
to reconcile; and hence atonement, *i.e.*, at-one-
ment—denotes the being reconciled or agreed
in Theology, it is the reconciliation of God with
man, by virtue of the death of Christ. One in
substance with the Father, took upon him the
nature of man, becoming very God and very
man, "truly suffered, was crucified; dead, and
buried, to reconcile his father to us, and to be a
sacrifice, not only for original guilt, but also for
actual sins of men." Neither the nature nor
limits of the present work admit of our noticing
the different views that have been held by
divines on this subject, or the numerous finely-
spun theories to which it has given rise. They
are wiser who hold with Bishop Butler, when
speaking of the efficacy of Christ's sacrifice to
secure the pardon of sin, says—"How and in
what particular way it had this efficacy there are
not wanting persons who have endeavoured to
explain; but I do not find that Scripture has
explained it."

ATTACHÉ, *at-tash'-ai* (Fr., attached), a
name given to certain young gentlemen who are
attached to embassies in the capacity of assist-
ants, with a view to their being made familiar
with the duties of the office, in order to their
afterwards holding appointments in the diplo-
matic department of the public service.

ATTACHMENT, *at-tatch'-ment* (Fr., *at-
tacher*, to attach, tack, or fasten unto), is a
process that issues at the discretion of the judges
of a court of record against a person, for some
contempt, either actual or by disobeying its order,
for which he is committed. It may be awarded
by them upon a bare suggestion, or on their own
knowledge, without any appeal, indictment, or
information. The cases in which it is issued are
where witnesses do not appear on a subpoena
to attend a court, or on an order before an
arbitrator, or refuse to be sworn and examined,
or perjure in their evidence; for non-observ-
ance of an award duly made; for non-payment
of moneys, or neglect or refusal to perform an

act pursuant to an order; unduly perverting the proceedings of the court; writing privately to a judge on a case in court; or for doing any act derogatory to the authority of the court or the respect due to it.

Foreign Attachment is a process peculiar to the city of London and some other places, issued out of the Lord Mayor's or Sheriff's court, in the nature of a notice to a person who has moneys or effects in his hands belonging to a debtor, not to part with them without license from the court. This person is called the *garnishee*. Unless the debtor settle the demand, or he or the garnishee successfully defend the action, the plaintiff recovers judgment against the garnishee to the extent of the assets in his hands for the amount of his claim. Similar customs exist in Bristol and a few other towns in England and in Scotland. (See **ARREST** and **ARRESTMENT**.)

Attachment of Debts.—By the Common Law Procedure Act of 1854 (confirmed by the Judicature Act of 1873), debts due from another person to a judgment debtor may be attached if necessary. By an Order in Council, of November, 1867, this provision is extended to the County Courts. By 33 and 34 Vict. c. 30, it is enacted that no order for the attachment of a servant, workman, or labourer, shall be made.

Attachment of the Forest was a process of the now obsolete Courts of Attachments, Woodmote or Four Days Courts, held by the verderers of the royal forests. The attachments were issued against the persons and goods of offenders against the forest laws.

ATTAINDER, at-tain'-der (Old Fr., *at-taindre*, from Lat. *ad*, and *tangere*, to touch, catch, or take, or *tingere*, to stain, to impute, charge, or accuse), in Law, was formerly the immediate consequence when sentence of death was pronounced. The criminal was then called *attaint*, *attinctus*, stained, or blackened. He was no longer of any credit or reputation; he cannot sue in any court; neither was he capable of performing the functions of another man; for, by an anticipation of his punishment, he was already dead in law. A person attainted of high treason forfeited all his lands, tenements, and hereditaments; his blood was corrupted, and he could neither inherit nor transmit lands. This law was repealed by the Act 33 and 34 Vic. c. 23.

Attainder, Bill of, is a bill introduced into Parliament (usually in the House of Lords) for the purpose of finally enacting the attainder and banishment of persons who have criminally offended against the State and public peace. The persons against whom the bill is directed are admitted to defend themselves by counsel and witnesses before both Houses. The bill, like other bills, must be passed by the Crown, Lords, and Commons before it becomes an Act of Parliament, and therefore operative against the person accused.

ATTENTION, at-ten'-shun (Lat., *attentio*, from *ad*, to, and *tendo*, I stretch), is a term used in mental philosophy to denote a steady exertion or due application of the mind to any object of sense or intellect, in order to its being thoroughly understood and afterwards remembered. The power of concentrating attention is of the utmost importance. Every idea is vivid in proportion to the degree of attention that is given to it; and it is, mainly by the attention that is given to any object that we can form a distinct notion of it, or discover its nature, attributes, or relations. It is, also one of the greatest aids to memory, to which it seems to be essential that the perception or idea which we wish to remember should remain in the mind for a certain space of time, and be exclusively contemplated by it. Abstraction, or the withdrawal of consciousness from all other attributes, has been described as the negative side of attention; or, as Sir William Hamilton expresses it, the two processes form the negative and positive poles of the same mental act.

ATTESTATION, at-tes-tai'-shon (Lat., *attestator*, from *ad* and *testor*, I call to witness), of a deed, will, or other instrument, is the execution of it in the presence of witnesses, who endorse or subscribe their names under a memorandum, to the effect that it was signed or executed in their presence. The clause at the end of the instrument, immediately preceding the signatures, is known as the *attestation clause*.

ATTORNEY, at-tur'-ne (Lat., *attornatus*, *ad*, *torno*, and Fr., *attornier*, to turn), is one man set in the place of another, and who has authority given him to act in the stead and place of him by whom he is delegated, in private contracts, agreements, and other matters of business. His authority must be by deed, which is called a letter of power or attorney, which requires a stamp of 30s. (See **AGENT**.)

Attorney-at-Law. By the Supreme Judicature Act, this style was abolished, and that of solicitor substituted. Popularly, the terms had been long equivalent, although, technically, an attorney was attached to the Common Law Courts, and solicitor to the Courts of Chancery. (See **SOLICITOR** and **JUDICATURE**.)

Attorney-General, a great law officer of the crown whose business is to exhibit informations, and prosecute for the crown in matters criminal, and institute suits in the Exchequer for anything concerning the queen in inheritance or profits. His proper place in court, upon any special matters of a criminal nature wherein his attendance is required, is under the judges on the left hand of the clerk of the crown; but this is only upon solemn and extraordinary occasions; for usually he does not sit there, but within the bar, in the face of the court. He usually has a seat in Parliament, and his tenure of office coincides with that of the administration. The office is, in fact, of a political, as well as of a legal character. A considerable portion of the remuneration was formerly by fees, but the holder of the office is now paid by a fixed salary of £7,000. He is not prohibited from practice at the bar. The Queen Consort is privileged to have an attorney-general. There are separate attorney-generals for Ireland, the duchies of Cornwall and Lancaster, the county palatine of Durham, and the Crown Colonies. The attorney-general ranks as leader of the bar. The first who held the office was William Bonville, appointed in 1277.

ATTRIBUTE, at-trib'-ute (Lat., *ad*, to, and *tribuo*, I give or bestow), is properly a quality or property ascribed to or belonging to a person or thing. Of the several attributes belonging to any substance, some are termed *essential*—those that are necessary to it, and go to form its character, as extension and attraction to matter; others are termed *accidental*, as roundness in wood, or learning in a man.

In Theology, the several qualities and perfections which we conceive in God, and which constitute his proper essence; as justice, goodness, truth, wisdom, &c.

In Logic, the attributes are the predicates of any subject, or what may be affirmed or denied of anything.

AUDIENCE, aw'-di-ense (Lat., *audi*, I hear), denotes the attention that is given to a person while speaking, or persons listening to a public speaker, singer, or other performer. The ceremony of the admission of ambassadors or public ministers to a king to deliver the credentials of their sovereign is likewise called an audience. In History, it is the name of certain tribunals or courts of justice established by the Spaniards in America.

AUDITOR, aw'-di-tor (Lat., *audio*, I hear), in a general sense, one who listens or attends to anything; in English Law and commerce, auditors are persons appointed to examine, vouch,

and certify the correctness of the accounts of a public company or body. By the Act 29 and 30 Vict. c. 39, a comptroller and auditor general of the public accounts was appointed.

AUGMENTATION, *aug-men-ti'-shon*, a process in Scotch Law, being an action in the Court of Teinds (see heading), by the minister of a parish against the titular, or beneficiary, and heritors, for the purpose of procuring an increase to his stipend. A period of 20 years must elapse between each augmentation.

AUGSBURG CONFESSION, *aug's-boory*, in Ecclesiastical History, is the name given to that important profession of faith of the Lutheran church which was laid before the great diet of Augsburg in 1530, and is now the accepted standard of faith in the church. It consists of 28 articles, the last seven referring to those points in which the Church of Rome was considered to be in error. 1, Of God; 2, of original sin; 3, of the person and mediation of Christ; 4, justification; 5, preaching and the sacraments; 6, faith; 7 and 8, the Church; 9, baptism; 10, the Lord's Supper; 11, confession; 12, repentance; 13, the use of sacraments; 14, church government; 15, rites of human institution to be observed; 16, secular occupations; 17, Christ's second coming; 18, free will; 19, God not the author of sin; 20, faith and good works; 21, saints to be respected, not worshipped. The abuses that had crept into the Church were—22, Denying the sacramental cup to the laity; 23, imposing celibacy on the clergy; 24, of the mass; 25, of confession; 26, of fasts and other ceremonies of human invention; 27, of conventual vows; 28, of civil and ecclesiastical power. Its authors evidently had no intention of making it a permanent or immutable standard of faith, but simply gave it out as a statement of the belief then held. The Papal theologians, headed by Faber, wrote a confutation of the Confession. Melancthon answered it in his "Apology for the Augsburg Convention," which was published in 1531. Zwinglius, and the other Swiss and French reformers, did not concur in the Confession of Augsburg, as they differed from it on several points, particularly in denying the real presence of Christ in the Eucharist, which the Lutherans believed (Art. 10). Melancthon subsequently made various considerable alterations in the Confession, particularly in that Latin edition of it which he published in 1540. The alterations which he then made on the tenth article, with a view to unite the Lutherans and Calvinists, gave rise to much controversy; the Lutherans repudiating the alterations, and holding by the unaltered Confession; while the reformed churches accepted the altered one.

AUGSBURG INTERIM. (See INTERIM.)

AUGURIES, *aw'-gu-rees*, the ceremonies, superstitions, predictions, signs, answers, and announcements made by the Roman augurs, and which constituted their supposed science and inspiration. Public auguries were—1, Appearances in the heavens of thunder and lightning. The augur marked the place where the flash of lightning originated, and where it disappeared. He stood on an elevated place, where he had a full view of all around him. After the sacrifices had been made, and solemn prayers offered, he took his station, his face towards the east, his head covered, and pointing with his staff to that

portion of the heavens within the limits of which he proposed to make his observations. On the left were the propitious, on the right the unpropitious omens. 2, The cries and the flight of birds. Predictions founded on the observations of birds were properly called *auspices*, and were common among the Greeks, who took them from the Chaldeans. They afterwards became so important, that, among the Romans, nothing of consequence in peace or war was undertaken without consulting birds, whose continual flight was supposed to give them universal knowledge. They were propitious or unpropitious, either from their species, or from the circumstances in which they appeared. The birds of a prophetic character were divided into two principal classes—those whose flight and those whose cry was indicative of future events. In the latter class were included the raven, the crow, the night-owl, and the cock; in the former were the eagle, the crow, the raven, the kite, and the vulture. The two last were always unpropitious. The eagle, on the contrary, was propitious when he flew from left to right; the crow and the raven were propitious on the left, and unpropitious on the right. Thirdly, the willingness or unwillingness of chickens to eat was considered ominous. The former was interpreted as a good omen, the latter as a bad one. Chickens were made use of particularly in war. Besides these three principal classes, certain omens were drawn from quadrupeds; such as a beast crossing a path, or being seen in an unusual place; or from occurrences more or less common; as sudden melancholy, sneezing, spilling the salt upon the table, &c. Although the augurs explained the majority of the signs, and taught how the gods could be appeased, yet the right of inquiring how war would terminate belonged only to the commander-in-chief; and its fortunate or unfortunate issue was attributed to him alone.

AUGURS, *aw'-gurs* (Lat. *augures*.) The College of Augurs was instituted at the very earliest period of Roman history. Augurs were a certain sort of priests, who predicted future events and announced to the people the will of the gods. They were consulted both in public and private affairs, and their influence in the state was very great. By merely pronouncing the words *Alia die* (another day), they could dissolve the assembly of the people, and annul all the decrees that had been passed at the meeting. At first there were only four augurs. The Ogulnian law, which was passed 357 B.C., opened the pontifical and the augural colleges to the plebeians. In the latter, five plebeians were associated with four patricians; and this number remained to the time of Sulla, 81 B.C., who increased it to fifteen. In 29 B.C. the extraordinary power was conferred upon Augustus of electing augurs at his pleasure. Long before that time, the office had lost its religious character, but was regarded as a high political dignity. Cicero, the orator, was an augur.

AUGUSTINE MONKS, OR **AUGUSTINIANS**, *aw'-gus'-tin*, a religious order in the church of Rome, who follow the rule attributed to St. Augustine, prescribed to them by Pope Alexander IV., in 1255. There had arisen, previous to that time, several religious orders, which Innocent IV. formed the design of uniting into one congregation; and this was carried out by his successor. The rules were adopted by about

thirty monastic fraternities. The Canons Regular of St. Augustine, or Austin Canons, lived under one roof, and their habit was a long black cloak, from which the popular name, Black Canons was taken. They had in the 12th century, about 200 houses in England and Scotland. The Begging Hermits, or Austin Friars, were a much more austere body, whose name is preserved in a well-known London locality. At present, the order is divided into several branches; as the Hermits of St. Paul, the Jeronimitans, monks of St. Bridget, and the Barefooted Augustines, the last being instituted by Thomas, a Portuguese brother of the order, in 1574, and confirmed by Pope Clement VIII. in 1600 and 1602. Various precepts relating to temporal possessions, work, and amusements, with others concerning charity, modesty, chastity, and other Christian virtues, constitute what is called the Rule of Augustine, which was read to the monks once a week. The degeneracy of the order in the 14th century led to the formation of new societies, among which was the Saxon, one to which Martin Luther belonged. Since the French revolution, the order has been entirely suppressed in France, Spain, and Portugal, and partly in Italy and South Germany; and even in Austria and Naples it has been decreasing. It is most powerful in Sardinia and America. Rome is the chief seat of the Order.

Augustine Nuns, an order which claims descent from a convent founded by St. Augustine at Hippo, and of which his sister was first abbess. They devote themselves to the care of the sick.

AULIC COUNCIL, *aw'-lik* (Lat., *aula*, a hall), was the name of a council of the old German empire, called in German, the *Reichshofrath*. It was established in 1495, to look after the affairs of the crown lands, and for preparing matters for the Imperial Chamber. The members of the Aulic Council also came to take cognizance of judicial processes, and the Estates frequently complained of this after 1502. In 1550 its organization was more determined, and, by the peace of Westphalia, it was recognized as the second of the two supreme courts of the empire, and equal in dignity to the Imperial Chamber. It was composed of a president, a vice-president, and eighteen councillors, all chosen and paid by the emperor. A part of them, at least, were to be taken not from Austria, but from the other states of the empire; and six were to be Protestants. If the Protestant councillors were unanimous upon any point, the votes of the rest could not overthrow them. The councillors were divided into a bench of counts and lords, and a bench of learned men, with no distinction, except that the latter, who were generally raised to the rank of nobles, received a higher salary. The vice-chancellor of the empire, appointed by the elector of Mainz, had also a seat in the council and a voice after the president. Under the exclusive jurisdiction of this court were—1, All feudal questions in which the emperor was immediately concerned; 2, all questions of appeal on the part of the Estates, from decisions in favour of the emperor in minor courts; 3, all matters concerning the imperial jurisdiction in Italy. Its decisions were submitted to the emperor for his approbation, with which they became law. It did not in any way interfere in the political or state affairs of the empire. The council ceased at the death of each emperor, and had to be reconstituted by his successor. It finally ceased to exist on the extinction of the old German empire, in 1806.

AURICULAR CONFESSION. (See CONFESSION.)

AURIGA, *aw-rí'-ga* (Lat., *auriga*, a charioteer), the name of a constellation in the Northern Hemisphere, between Perseus and Gemini. The most remarkable star in this constellation is one of the first magnitude, called Capella.

AUSPICUM. (See AUGURIES.)

AUTHORITY, *aw-thor'-i-ty* (Lat., *auctoritas*), generally denotes a right or power to command and make one's self obeyed; as royal authority, parental authority. In ecclesiastical or religious matters, it is the assumed right of dictation attributed to certain fathers, councils, or church courts.

AUTOCRACY, *aw-tok'-ra-se* (Gr., *autos*, self; *kratos*, power), is that form of government in which the sovereign exercises uncontrolled power, uniting in himself the legislative and executive powers of the state. Almost all Eastern states have this form of government.

In Philosophy, the term is used by Kant to denote the mastery of the reason over the rebellious propensities.

AUTOCRAT, *aw'-to-krat*, a person vested with absolute independent power; a sovereign who rules uncontrolled. The title was first given by the Athenians to a commander-in-chief vested with undisputed powers, and not liable, like others, to be called to account at the expiry of his office. The title was afterwards assumed by the Byzantine emperors, and, at present, the emperor of Russia bears this title.

AUTO DA FE. (See ACT OF FAITH.)

AUTONOMY, *aw-ton'-o-me* (Gr., *autos*, self, and *nomos*, law), denotes that kind of government in which the citizens of a state make their own laws and manage their own public affairs.

In Philosophy, the term was used by Kant to denote the sovereignty of reason over all our actions, as opposed to heteronomy, in which our actions are directed by motives or desires contrary to the dictates of reason.

AUTOPSY, *aw'-top-se* (Gr., *autopsia*, from *autos*, self, and *opsis*, sight), denotes personal observation, and is applied to the knowledge which one acquires by ocular observation, in contradistinction to that which is communicated to him by the accounts of others. The term is applied to the examination of a dead body for the purpose of ascertaining the cause of death.

AUTREFOIS ACQUIT, *otr(e)'fwa aké* (Fr., previously acquitted), is a plea by a person indicted of a treason or felony, that he was heretofore acquitted of the same treason or felony; for no one shall be brought into danger for the same offence more than once.

Autrefois Convict (Fr., previously convicted). A man convicted of an offence may plead such conviction in bar of any subsequent indictment for the same offence of which he was convicted.

AVATAR, *av'-a-tar*, in Hindoo Mythology, is applied to the incarnations of the deities, or their appearance in some manifest form upon the earth. The word is Sanskrit, and properly signifies a descent, or the act of descending. The number of avatars related of Vishnu and the other deities is very great.

AVE MARIA, *ai'-ve ma-rí'-a* (Lat., Hail

Mary), a prayer of the Roman Catholic Church to the Virgin Mary, so called from the words with which it commences. It is also called *Angelica Salutation*, or the Angelic Salutation; these words being the beginning of the salutation which the angel addressed to Mary, as he announced to her that she was to be the mother of the Saviour. The invocation was first used by the priests during mass on the fourth Sunday after Advent, by an ordinance of Gregory I. With the extended worship of the Virgin since the 11th century, the Ave Maria has come to be a long prayer nearly equal in use with the Pater Noster, and was sanctioned as such at the end of the 12th century. In the first half of the 16th century, the prayer came generally to receive, as a conclusion to the earlier formula, the words, "Holy Mary, mother of God, pray for us sinners, now and at the hour of our death. Amen." John XXII., in 1326, ordained that every Catholic should, at the ringing of the bells, morning, noon, and night, repeat three aves. The aves are reckoned by the same heads of the rosary, which are hence called Ave-Marias, while the large beads are used in the Pater Nosters.

AVENGER OF BLOOD, *a-ven'-jer*. In the early ages, the penalty of death for the crime of murder was not inflicted by any legal tribunal or public authority, but it was considered the duty of the most immediate relative of the victim to hunt and slay the murderer. The Hebrew word *Gosh* signified the avenger of blood; it had also a wider signification. The Moslem law placed this recognized institution of the rude social condition of the times under certain regulations, prohibited the murderer from purchasing by money a ransom for his life, and appointed cities of refuge for the manslayer not guilty of positive murder. The doctrines of the Koran permit the avenging of blood by the nearest kinsman, but allow him to receive money as a commutation for the murder. The Arabs follow the primitive custom to this day. Hereditary feuds of clans, families, and tribes, have always originated in the avenging of blood, of which the Vendetta of Corsica is the most modern and familiar example in Europe.

AVIZ, *a-voz*, an order of knighthood instituted by Sancho, first king of Portugal, in imitation of the order of Calatrava, for the purpose of attacking and subjugating the Moors. The king of Portugal is grand master of the order.

AVOCAT, *av-o-kat* (Fr., from Lat., *ad*, to, and *vocare*, to call). An advocate in French law answers, in some measure, to a barrister or counsel in ours, with this difference, that he corresponds with his client, and acts in the double capacity of counsel and attorney. (See BARRISTER, COUNSEL.)

AVOIDANCE, *a-voi'-dans* (Ang.-Nor.), in the general signification, is where a benefice is void of an incumbent, in which sense it is opposed to plenitude or fulness. (See BENEFICE.)

AXINOMANCY, *ax-in-o-man'-ce* (Gr., *axinos*, an axe, and *manthia*, divination). As a means of discovering the perpetrator of a crime, the ancient Greeks placed an axe upon a stake, and it was supposed that it would move when the name of the guilty person was pronounced, also that it would move and point to the person. Another method of practicing the ordeal was to watch the movements of an agate placed on a red-hot axe.

AXIOM, *ax-i-om* (Gr., *axioma*, worth, authority), is properly a self-evident proposition of a theoretical character. It was originally applied to geometry by Aristotle, in which science it means a proposition which it is unnecessary to take for granted; yet Euclid did not employ the term. What we now call axioms were denominated by him *common notions*. It came into pretty general use in the 17th century in this country. This use of the word is somewhat irregular. In any process of demonstration, the deduction of propositions from the comparison of other propositions must begin somewhere, so that there must be at least two propositions to begin with, whose evidence must be derived from other sources than reasoning. They must at last fall back upon the native intuitions, or instincts, or data of the mind for these first principles or axioms of all reasoning. Every attempt which has been made to dispense with these primary data of consciousness has failed; and the persons who have made the attempt have only been wiled on to their own destruction by some simple paralogism. The axioms, or, more properly, the "common notions," employed by Euclid in geometry have been for the most part employed by other writers, and are obviously constructed with no very close regard to the distinction of metaphysics. Among them, or attached to them, we usually include the postulates, or things demanded to be done. Every science has its axioms, elementary principles, or leading ideas, around which all the rest gravitate as towards a centre. This is essential to the existence of any body of knowledge, without which it would crumble down into a series of empirical details.

AYUNTAMIENTO, *a-joon-ta-mien'-to*, the name given in Spain to the councils or governing bodies of the towns and villages. These councils have ever been among the most cherished and carefully-preserved institutions of the Spanish people; and their existence may be traced to the earliest period of their history. During the long struggles with the Moors, these councils acquired great power, though in 1512 much of their influence was lost, and under the Bourbons it was entirely taken away. In 1812, the leading features of the old system were restored by the Cortes. On the return of Ferdinand VII. the Ayuntamientos were abolished; but they were again restored by the Cortes in 1823 to be, however, once more set aside; but in 1837 they were again restored. The attempt made in 1840 to restrict their powers led to the expulsion of the Queen; but in 1841 their functions were limited to municipal matters. In the Constitution of 1869 the entire municipal government, with power of taxation and authority for preserving the public peace, was vested in the Ayuntamientos. These councils are elected every two years, the members annually appointing the alcalde or executive functionary from their own body. The Ayuntamientos also elect the members for the Diputaciones Provinciales—or, provincial parliaments which meet in annual session and are invested with large political powers. Neither the national executive nor the Cortes can interfere in the proceedings of the Ayuntamientos or Diputaciones unless they go beyond their local sphere to the injury of the general interests of the whole country.

AZYMITES, *az-s-mites* (Gr., *a*, without, and *zyme*, leaven), a name given to the Latin, Armenian, and Maronite Christians, who use unleavened bread in the sacrament.

B

BAAL, ALSO NAMED BEL AND BELUS, *ba'al* (Hebrew, lord, owner), a god of the Chaldeans, Babylonians, and Phœnicians; and, indeed, the principal deity of many of the Oriental nations. With the Babylonians and Assyrians, Baal was, it would seem, considered as the Creator; with the Phœnicians and other races, probably, an embodiment of the prevailing super-worship. The Israelites often abandoned the worship of the true God to adore this idol. Incense was the offering most commonly presented; but human sacrifices were sometimes made. There were a number of idols of a secondary rank bearing the name of Baal; such as Baal-Berith, the "covenant lord," a divinity of the people of Sechem; Baal-Poer, the Priapus of the Midianites and Moabites; and Baalzebub, the Philistine idol at Ekron.

BABA, *ba'-ba*, is a Turkish word, signifying "father," probably originating, like the modern word *papa*, in a child's first efforts to speak. In Persia and Turkey it is prefixed, as a title of honour, to the names of distinguished ecclesiastics. It is often also annexed, by way of courtesy, to the names of other persons, as Ali-Baba.

BABEL, TOWER OF, *ba'-bel* (Semitic, *bab-el*, the gate of God), a large building erected by the descendants of Noah, who, hoping probably to make a place of refuge for themselves in case of a second deluge overspreading the earth, are mentioned in Genesis xi. as building a tower of brick, cemented with bituminous slime, in the plains of Shinar. There is an account of the building of the tower in the Babylonian inscriptions recently discovered, in which it is stated that the gods destroyed the tower by winds. A similar tradition was, Mr. Sayce informs us, prevalent in Central America, according to which Xolhua, one of the seven giants rescued from the deluge, built the great pyramid of Cholula in order to storm heaven. The gods, however, destroyed it with fire, and confounded the language of the builders. The majority of those who have made researches in Babylonia think that the Birs Nimroud, six miles to the south-east of the site of Babylon, is a relic of the Tower of Babel. The superstructure stands on an immense platform, similar to those usually constructed by the Assyrians for the elevation of their public buildings, which bears traces of the destructive influence of time and long exposure to the elements. It is built of fire-baked bricks, well cemented together, and is oblong in form, measuring about 700 yards round the base. The height on the eastern side is reduced to about 60 feet; but on the west it is about 200 feet high, towering upwards in the form of a cone; and on the top of this is an irregularly-shaped mass of brickwork, separated by rents and fissures extending from the summit to its base. Huge fragments, rent from the original building, and bearing the appearance of having been subjected to the action of fire or heat, lay in confusion on all parts of the mound.

BABI, *bab'-be* (Persian, *bab*, the gate), the name of a modern sect in Persia, founded about 1845 by Seyed Mohammed Ali, a native of Shiraz, who published an account of his pilgrimages to

Moscow, and a new commentary on the Koran, which involved him in a controversy with the mollahs; on whose lives and doctrines, he had made the subject of severe strictures. At first he assumed the title of Báb, and gathered round him a numerous band of followers; but afterwards announced himself as the *Wahid*, a "point," not only the recipient of a new revelation, but the focus in which all previous dispensations converge. His eloquence and attractive manners gained the adherence of several men of great ability and of one beautiful and talented woman, Gourred-oril-aya (consolation of the eyes). These and others undertook to disseminate the new doctrines. The new religion made rapid progress, and the efforts of the Government to suppress it led to a civil war, in the course of which the founder was killed, in 1850. Two years afterwards, some attempts having been made on the life of the Shah, probably by some fanatical members of the new sect, a ferocious persecution ensued; and many were killed, among them Gourred-oril-aya. The sect has not been suppressed, but the members avoid any overt demonstration, and hold the doctrines while outwardly conforming to the established creed. Bábism had its origin in an endeavour to vindicate the original doctrines of Mahometanism, almost superseded in Persia by the veneration for Ali, the successor of the prophet, but it soon assumed another form, the leading doctrines being essentially Pantheistic, with additions from Buddhism, Ghosts, and other sources. According to a treatise written by the Báb himself, all individual existence is regarded as an emanation from the Supreme Deity, by whom it will ultimately be re-absorbed. The Báb is the latest incarnation of the Divine nature (in which also eighteen others participated), and that incarnation would remain till the last judgment. Moses, Christ, and Mahomet were only precursors of the Báb. The morality of the sect is considerably in advance of ordinary Oriental practices. Polygamy and concubinage is forbidden, and the equality of the sexes is recognized—indeed, one of the chosen nineteen must always be a woman. Hospitality, charity, and cheerful but temperate enjoyment of life are inculcated.

BABYLONISH CAPTIVITY, a term applied to the exile of the principal families of the kingdom of Judah in Babylon, under Nebuchadnezzar and his successors. In the reign of Zedekiah, king of Judah, about 587 B.C., Nebuchadnezzar invaded the Jewish territories, and succeeded in taking Jerusalem, and destroying the fortifications and the temple built by Solomon. Zedekiah had his eyes put out, and, with the chief of his people, was carried captive to Babylon. After the overthrow of the Babylonian empire by Cyrus the Persian, 539 B.C., the Jews were permitted to return to their native land, and the Babylonish captivity, which is reckoned to have lasted about 56 years, was thus brought to an end. The Jews were not in a state of intolerable servitude during this period, but many of them rose to offices of high standing and honour in the court of Babylon, as may be learnt from the histories of Daniel, Esther, Mordecai, and others.

BACCHANALIA, *bak'-ku-nal'-i-ä*. Festivals held at Rome in honour of Bacchus. They were similar to the Dionysia of the Greeks, and were first introduced from Greece to Etruria, and thence into Rome. They were held four times annually, and originally were only celebrated by women. The great amount of immorality that soon characterised their proceedings called forth the intervention of the senate in the year 566 A.U.C.; it was then discovered that more than 7,000 persons had been initiated, and had bound themselves by oaths of secrecy. The Senate at once decreed that they should be abolished throughout Italy, and they were accordingly entirely suppressed in the year B.C. 186. Wild revels are still called Bacchanalia. (See DRONTISIA.)

BACCHANTES, *bak'-kan'-tes*. Women and girls who took part in the Bacchanalia.

BACKING WARRANTS, is the signing of an authority on the back, by a magistrate of a different county from that mentioned in the body thereof, empowering the officer to execute the same in such other county.

BACONIAN PHILOSOPHY, *ba'-ko'-ni-an*, is that system of inductive inquiry inaugurated by the celebrated Francis Bacon, and which consists much more of a method than of developed scientific results. If the experimental method which he introduced to the notice of the world was neither absolutely new nor very directly useful, yet it possessed some really novel elements, and had the effect on his immediate successors of overthrowing the old methods of research, and thus of heralding a new era of scientific discovery. His great desire was to extend knowledge and to make it the parent of practical results. "I find," he says in *Valerius Terminus*, "that even those that have sought knowledge for itself, and not for benefit or ostentation, or any practical ennoblement in the course of their life, have nevertheless propounded to themselves a wrong mark—namely, satisfaction (which men call truth) and not operation." Again, he asks, in "Letters and Life," "is there any such happiness as for a man's mind to be raised above the confusion of things, where he may have the prospect of the order of nature and error of man? Is truth ever barren? Shall he not be able thereby to produce worthy effect and to endure the life of man with infinite commodities?" The importance of what Bacon did is not to be measured by his scientific discoveries, for he made almost none, but wholly and solely by the clearness and even novelty of his scientific method. The experimental method has been accused, both by Count Joseph de Maistre, the renowned author of the *Soirées de St. Pétersbourg*, and by Lord Macaulay, in his celebrated Essay on Bacon in the *Edinburgh Review*, of being old, of being useless, and of being absent in the scientific spirit of the age in which the philosophy appeared. Now there is a shade of truth, but nothing more, in the whole of these objections. To take up the first. No doubt the illustrious Albertus Magnus had previously insisted on some portions of the experimental method, and Bacon's great predecessor and namesake had done so much more; but no man had, previous to his time, taken into account the radical difference which subsists between "simple enumeration," or accumulation of facts, without due perception of their relation or value which belongs to every mind in the

world, and the circumspect scientific method which alone renders discovery possible. Lord Bacon's method consisted of a much wider and more circumspect way of verifying scientific facts than had been disclosed to the world before. His method consisted of "interrogating" nature by observation and experiment; whereas, the ordinary way in which induction was gone about, previous to his time, consisted in the "anticipation," and, of course, in countless instances, the misconception of nature. Man he proclaimed to be the "minister and interpreter of nature," in the first aphorism to his *Novum Organum*, which contains nearly all of his direct contributions to the science of method. He says again (in Aph. 14), "A syllogism consists of propositions, propositions of words, and words are the signs of notions; therefore, if our notions, the basis of all, are confused, and over-hastily taken from things, nothing that is built upon them can be firm: whence, our only hope rests upon genuine induction." And this genuine induction he explains further on (Aph. 19): he says, "It constructs its axioms from the senses and particulars, by ascending continually and gradually, till it finally arrives at the most general axioms, which is the true but unattempted way." Before entering on the rules which he lays down for the guidance of future discoverers, he occupies a good number of aphorisms in enumerating the causes of error. These idols (*idola*, Gr., *eidola*, which Hallam takes to mean a false appearance or divinity, while Playfair and other writers adhere to the ordinary meaning of the word *idol*) he divides into four classes—idols of the tribe, of the cave, of the forum, and of the theatre. 1. The idols of the tribe (*idola tribus*), fallacies incident to human nature in general. Among the idols of this class are the tendencies which there are in all men to find a greater degree of order, simplicity, and regularity in things than an accurate observation will warrant; to support a previous opinion by affirmative instances, neglecting negative or opposed cases; and to generalise from few observations and give realities to mere fancies of the mind. 2. The idols of the cave (*idola specus*) are those which rise up from the peculiar character of the individual observer, whether natural to him or acquired. Some minds are adapted to note the differences of things, others to catch their resemblance. While one man carefully dissects everything to the minutest detail, another man of a more active temperament, bounds off on the wings of a resemblance. They both err by excess; the one by being too detailed the other by not being detailed enough. Bacon gives this caution, "In general, let every student of nature take this as a rule, that whatever his mind seizes and dwells upon with particular satisfaction is to be held in suspicion." 3. The idols of the market-place (*idola fori*) are those which arise out of the forms of language and from the intercourse of society. Men believe that their thoughts always govern their words; but it often happens to be all the other way. This is provoking; for, words being to a large extent the formation of the rude multitude, we find, when we examine them, little of that delicacy and precision requisite for the processes of science, for some words are merely names for non-existing things, supposed to exist, only because they have received a name, and others are names hastily abstracted from a few objects and applied to all that have any, even the faintest, analogy. 4. The idols of the theatre (*idola theatri*) the

deceptions which have arisen from the dogmas of different philosophical schools. This last class differs from the other three, inasmuch as it does not arise naturally and spontaneously in the mind but must be acquired often at the expense of great labour and study. Having now completed these preliminary and very necessary cautions, he proceeds to describe and exemplify the nature of his peculiar method. Our first object, he says, must be to prepare a *history of the phenomena to be explained, in all their modifications and varieties*. This history is not to be without experiments instituted for the sake of discovery. Such a record of the phenomena of any occurrence he denominates its *natural history*. This being ascertained, we must next contrive to discover the *cause or form* of these phenomena. The *form* of any quality in a body is convertible with the existence of that quality. Thus, if transparency be the quality which we are inquiring after, of course the *form* of this quality will exist wherever transparency is to be found. *Cause* differs somewhat from *form* in this way; that, while *cause* is only applied when we wish to speak of some change having taken place, *form* is applied to any permanent quality. Two other subjects which Bacon discusses with considerable minuteness, are those of what he calls the *latent process* and the *latent schematism*. We have an example of the former in the firing of a cannon. The short time that elapses between the application of the match and the expulsion of the ball, constitutes a latent process of a curious and complicated character. The latter, or the latent schematism is the invisible structure of bodies, on which so many of their properties depend. Thus, the internal structure of plants, or that of crystals, is the internal schematism of those objects. Bacon, besides, insists on the collection of what he calls "negative instances," or those cases in which the form enquired after does not appear. To take our former quality, that of transparency, he would tabulate such occurrences as the following in this inquiry. Pounded glass is not transparent, while glass unpounded is; collections of vapours are not transparent, while a single vapour is; and so on. After a great many exclusions have been made, one of the remaining principles may be assumed as the cause in trying to investigate the origin of any process or phenomenon in nature. We are to reason from this assumed principle, and try if it will account for the phenomenon. So important did this process of exclusion appear to the mind of Bacon, that we find him saying, "It may, perhaps, be competent to angels or superior intelligences to determine the form or essence directly, by affirmations from the first consideration of the subject; but it is certainly beyond the power of man, to whom it is only given to proceed at first by negatives, and in the last to end in affirmatives." Men can now predict, whereas before they could only vaguely guess. In the *Novum Organum*, the author says, "The induction which is to be available for the discovery and demonstration of sciences and arts must analyze nature by proper rejections and exclusions; and then, after a sufficient number of negatives, come to a conclusion on the affirmative instances, which has not yet been done, or even attempted, save only by Plato." It is evident, as a modern writer remarks, that the Socratic search for the essence by an analysis of instances—an induction ending in a definition—has a strong resemblance to the Baconian inductive method. It has been asserted, by writers of

high reputation, that Bacon failed to recognise the value of the deductive method, testing hypothesis by verification, and that he neglected, or certainly was indifferent to the scientific use of the imagination. This is not precisely true. Bacon quite understood the deductive method of reasoning but preferred his own. It is, however, an almost undisputed fact, that the process of scientific discovery since Bacon's time has not been in accordance with his teaching, but mainly by the employment of hypothesis.

Philosophical Works of Bacon. *Treatise on the Advancement of Learning*, 1603; *De Sapientia Veterum* (Wisdom of the Ancients), 1609; *Novum Organum* (the New "Organon," Aristotle's great work), 1623; *De Augmentis Scientiarum* (a revised and enlarged translation of the *Treatise on the Advancement of Learning*), 1623.

BADGE, *badj*, a mark of distinction or cognizance, assumed by the individual himself, or conferred by royal authority. To the latter class belong the various emblems of the orders of Great Britain and Ireland, and other European countries, and all marks of honourable distinction, such as medals, ribbons, and crosses, given by the crown for distinguished military or civil service. Under the former class may be reckoned the different crests and distinctive bearings assumed by nations, tribes, and families, in early and mediæval history, which can now be rightfully borne by a grant from the Herald's College only. The earliest mention of heraldic badges is when each of the twelve tribes of the children of Israel is spoken of under its respective cognizance; such as the lion of Judah, the wolf of Benjamin, and the serpent of Dan. The eagle was the badge of the empire of Rome, and subsequent imperial dynasties have frequently adopted the royal bird as their distinctive emblem. The white horse, now borne in the royal arms of Hanover, was the badge of the Saxons; the raven, of the Northmen and Danes. The almost universal adoption of animal forms as badges, has given rise to much interesting speculation. (See TOTEMISM.) The white rose was the badge of the house of York; the red rose, of the rival house of Lancaster: the Tudors combined the white and red rose, as emblematic of the union of the antagonistic houses. A white hart with a collar round its neck, and a chain, was the badge of Richard II.; a boar, of Richard III.; a crown in a thorn-bush, of Henry VII.; the bear and ragged staff, of the Nevilles, or house of Warwick; the garb, or wheat-sheaf, and sickle, of the Hungerfords. The celebrated *fleur-de-lis* was the badge of Louis VII. of France, and was used by many of the Bourbons, which in time gave place to the Phrygian cap of liberty, used by the Republic, which in turn was superseded by the bee adopted by the Bonapartes. One of the oldest badges is the famous ornament of gold called, "King Alfred's Jewel." It was found at Atheling, and is now in the Ashmolean Museum at Oxford. The badges of the different orders of knighthood will be found under their respective headings. (See BATH, ORDER OF THE; GARTER, ORDER OF THE; STAR OF INDIA, &c.) The badges of the United Kingdom are:—England, a red and white rose, with the royal crown; Scotland, a thistle and crown; Ireland, a harp, and trefoil as well, with the crown; Wales, on a mount vert, a dragon passant, with uplifted wings, gules. The badge of the prince of Wales is three ostrich-feathers, with the motto "Ich dien." The serving-men and retainers of a lower class belonging to noble houses, and the servants

attached to gentlemen's families, usually wore their master's crest or badge embroidered on the left arm of the blue coat, that was commonly worn in former days instead of the parti-coloured liveries of modern times.

BAGGAGE, *bag-gaj* (Fr., *bagage*), the clothes, tents, provisions, and other necessities of an army. By the ancient Romans the baggage of an army was termed *impedimenta*, impediments or hindrances. The ancient soldier on the march was always heavily laden, but the modern soldier is freed from every unnecessary encumbrance, and waggons are attached to each battalion for conveying the baggage, the weights of which is always strictly defined.

BAGNES, *ba'n-yeh*, the convict prisons of France. (See BAGNIO.)

BAIL, *beil* (Fr., *bailleur*, to deliver), a technical term in English and Scotch law, signifying the security given by a certain person or persons that are individually charged with an offence against the law, shall appear at a day named, to answer and be justified by the law, the individual being in the meantime set at liberty. In Scotland, the term is limited to criminal procedure, whereas in England it is used both in civil and criminal cases. In civil cases the bail may render the principal at any time; in criminal cases they cannot, unless he fly, or they have reasonable doubt that he will do so. In such case, the defendant may be detained and brought before a justice, who may commit him in discharge of his bail, or put him to find new sureties. In civil cases, the bail are liable for the amount of the debt, or damages and costs recovered; in the latter, to the amount of their recognizance.

BAILEE. (See BAILMENT.)

BAILIE, *bai'-le*, a Scottish term having several legal applications, the most common and popular signification being a superior officer or magistrate of a municipal corporation. In royal burghs the office resembles that of alderman in England.

BAILIFF, *bai'-liff* (Lat., *ballivus*; Fr., *bailli*), according to Sir Edward Coke, is an old Saxon word, which signifies a keeper or protector; and although there are several officers called bailiffs, whose offices or employments seem quite different from each other, yet something of keeping or protection belongs to them all. Hence, the sheriff is considered as bailiff to the crown, and his county, of which he has the care and in which he is to execute the queen's writs, is called his *bailiwick*; and the officers who, by his precepts, execute writs and other process, are called his bailiffs. There are, likewise, bailiffs of liberties, who are officers under lords who have franchises exempt from the jurisdiction of the sheriff. There are, likewise, bailiffs of lords of manors, who collect their rents, levy their fines, attend their courts, and execute their warrants of seizure of escheated property and herlots. There are also bailiffs of forests, and those to whom the queen's castles are committed; as, the bailiff or constable of Dover castle. The chief magistrates in divers ancient corporations are also called bailiffs; as in Ipswich, Yarmouth, Colchester, and other places. In common parlance, a bailiff is a person who has the management of an estate or farm, and superintends the same for the owner; and persons who are employed to distrain for rent are called bailiffs.

BAILIFF HIGH. (See HIGH BAILIFF.)

BAILIWICK, *bai'-i-wik* (Lat., *balliva*; Fr., *bailliage*), the county or district within which the sheriff's bailiffs execute their office.

BAILMENT, *bai'-ment* (Fr., *bailier*, to deliver, or put into the hands of), in legal language, is a delivery of goods in trust, upon a contract expressed or implied that the trust shall be faithfully executed on the part of the bailor.

In Law, a term used to define a delivery of goods which is to be held as security until a particular contract is fulfilled, and when fulfilled the goods are to be returned by the bailor or person who held them as security, to the bailor, or owner thereof; thus, the varieties of bailments are so numerous that it is scarcely possible to define them here. As to the liabilities of bailors, it may be taken as a general rule that where the bailment is for the mutual benefit of bailor and bailee, the latter is liable for *negligence*; viz., for the omission of that degree of care which a man of common prudence takes of his own concerns; secondly, that upon a bailment from which the bailee derives no benefit, nothing short of *gross* negligence will make him responsible; thirdly, that upon a bailment for his own exclusive benefit, he will, on the other hand, be chargeable even for *slight* negligence; and lastly, that he is liable in none of these cases for a robbery or other casualty in no degree attributable to his own fault. A bailee has a qualified property in the goods transferred to him, against any stranger or third person. A bailee may have a general or particular lien on the goods intrusted to him. (See LIEN.)

BAIRAM, *bai'-am* (Turkish, a feast), a Mahometan festival which follows the Ramadan, or month of fasting. As the Mahometans reckon by lunar months, this festival runs through all the seasons every thirty-three years. It commences with the appearance of the new moon of the month Shawwal, and, as marking the termination of four weeks of fasting and restraint, it is looked for with great eagerness. Strictly, the feast should last for only one day, but it is generally extended to three. Another festival, called the Lesser Bairam, is celebrated 60 days after this one, but is observed with much less ceremony. It is the feast of sacrifices, and at Mecca offerings of animals are made to commemorate Abraham's offering of Isaac.

BAJIMONT'S ROLL, *bai'-i-mont*, a valuation of the ecclesiastical benefices of Scotland, on which they were taxed from the end of the 13th century to the Reformation. It was named after its author, Bajimont de Vicci, an Italian churchman who was sent to Scotland by the Pope about 1276 for the purpose of raising money.

BALANCE OF POWER, an expression used to denote the condition of different states, so that none of them may possess such power or influence as would endanger the independence of the others. In order to maintain this balance of power, it is not necessary that there should be an equality among all the different states. It is generally sufficient that a few of the leading powers counterpoise each other; and in this way the safety of the smaller states is secured, as none of the others would be disposed to allow its rival to add to its power by absorbing them. We find the states of ancient Greece frequently guided by a desire to maintain the balance of power; but it is only in modern times that the principle has come to be distinctly recognised and acted upon. In Europe, it first became a distinct object of policy in the early part of the 15th century among the numerous small states and republics in Italy. Their jealousy of each

other made them watch with the greatest keenness every movement which might tend to increase the power of their neighbours; and from a constant attention to this principle they were able to maintain peace and general independence. When Charles VIII. of France invaded Italy, in 1494, Germany and Spain entered into a confederacy with the Italian states against him, and when Napoleon entered on his wars of aggression, other countries entered into a coalition against him. The attempt to maintain the balance of power among the different states of Europe has doubtless caused wars, but it is said to have prevented more. Latterly, the policy of non-intervention has been far more freely accepted among politicians than formerly, and the formation of the Empire of Germany and of a United Italy, the Franco-Prussian war and the Turkish war, have decidedly altered the old ideas and brought new forces into play. The balance of political, military, and physical power is itself becoming more and more counterbalanced by social, commercial, and moral influences.

BALDRICK, or **BAUDRICK**, *baw'-drick* (Fr., *boudrier*), a military band or girdle, worn by the warriors in medieval times. It encircled the waist, or was suspended from the right shoulder, and usually sustained a sword. It was often highly ornamented, and is to be seen on many effigies of knights.

BALE, COUNCIL OF, AND TREATY OF. (See BASEL.)

BALLOT, *bal'-lot* (Fr., *ballote*, a little ball), a term employed to denote a method of secret voting; so called because little balls were originally, and, in some cases, still are, used for the purpose. Usually the balls are of different colours. White and black—the white being “for,” and the black “against;” and hence the expression to “black-ball” one. Sometimes, in place of the balls being of different colours, the box is divided into two compartments, one of which represents the *pro*, the other the *con*; and sometimes, in place of balls, folded pieces of paper are used, either containing simply “yes” or “no,” or the name of the candidate or candidates whom the elector supports. In clubs, societies, and other similar bodies, voting by ballot is the mode usually adopted in the election of members or office-bearers. The term, however, is principally important in its political sense, as applied to the method of secret voting in the election of members of the legislature. Secret voting was practised by the ancient Greeks by means of balls, stones, or shells, with marks. Among the Romans, *tabulae*, *tabellae*, or tickets, were chiefly used; and different laws were from time to time passed regarding the system of secret voting. In modern times, the ballot was long used in the Venetian senate. A tract, entitled, “The Benefit of the Ballot,” said to have been written by Andrew Marvell, was published in the “State Tracts,” 1693; and the ballot was first proposed to be used in the election of members of parliament in a pamphlet published in 1705. In France, secret voting existed in the Chamber of Deputies from 1820 to 1845, and has been employed since the *constitution* of 1875. It has also been adopted in many of the United States of North America, and became part of the electoral law of Victoria in 1855. The subject of the ballot has occasioned frequent discussions and divisions in parliament, and since 1855 it has

been an open question in all Whig governments. On June 30, 1857, the House of Commons rejected the ballot by a majority of 69; and on April 23, 1861, a motion to bring in a bill on this subject was negatived by a majority of 125. For many years it was annually proposed by Mr. Henry Berkeley, until his death in 1870. In November, 1870, it was used for the first School Board election in London, and the result being eminently satisfactory the Ballot Bill was finally passed in 1872, when it was resolved to take parliamentary elections by its means in future. The mode of procedure is as follows:—The names of the candidates are printed on a slip of paper, and the voter, retiring to a secret compartment, places a mark against the name, or names, of the persons for whom he votes. He then folds the paper and slips it into a large box in the presence of the returning officer in charge of the polling-booth, who marks off the voter's name on the register as having voted. By this means, not only is personation guarded against, but the voter is secured against intimidation and the temptation of bribery, as no one can discover for whom he voted. The bill was made tentative—i.e., to last for a few years only to see how it worked—and the results being in every case satisfactory, it was renewed and made permanent in the parliamentary session of 1880. The first election by ballot was on the 15th of August, 1872, when Mr. Childers was very peaceably elected.

BAMBINO, *bam'-bee-no* (Ital., *bambino*), the swathed figure of the Infant Saviour, which, glorified by a halo of light, and surrounded by angels, often forms the subject of altar pieces in Roman Catholic churches. In this way, it has come to be used in ordinary parlance as an endearing term applied to any swaddled baby, and answering to our epithets “little angel,” &c. The Santissima Bambino, in the church of the Ara Coeli at Rome, is supposed to exert miraculous power in curing the sick. According to report, it is carved in wood, from a tree which grew on the Mount of Olives, by a Franciscan pilgrim, painted by St. Luke. It is richly decorated with jewels and presents brought to its shrine by devotees. The festival of the Bambino, which occurs in Epiphany, is largely attended, and many rich fees are deposited at its altar.

BAN, *ban*, is a word which occurs in various senses in many of the modern languages of Europe. Its primary signification, however, and that which runs through all the others, is that of proclamation or publication; as in *banns*. (See Banns or Marriage.) It is used both as a substantive and verb by the early English writers, in the sense of cursing or denouncing woe and mischief against an offender. When a grant of land was made for a religious purpose, the transaction was proclaimed with certain ceremonies, and curses were denounced against any one who should thereafter violate the deed, hence the word came to be associated with cursing, and it is in this sense it is now popularly used. Persons who escaped from justice, or who opposed themselves to the sentences of the Church, were also banned or cursed. In Germany, persons or cities who opposed themselves to the general voice of the confederation were, by some public act, placed under the ban of the empire.

As a Title.—In France, in feudal times, the barons who held of the king, when summoned to attend him in time of war, were called the *ban*, and the tenants of the secondary rank the *arrière ban*. In the Slavonic

tongues, *ban* means lord, and was the title given to some of the military chiefs who were over certain of the frontier provinces of Hungary; hence termed *banats*.

BANC, OR BANCO, *ban'-ko* (Lat., *bancus*), in Law, a tribunal or judgment-seat. Hence, *Bancus Regine*, or Queen's Bench. One judge can try a civil or criminal cause, but two or more judges sit in *banco* for the purpose of deciding questions of law coming originally before them, or by way of reference or appeal from the decision of a single judge at *nisi prius*, and otherwise.

BANDES NOIRES, *band'nuar'* (Fr., black band), a name given in France to certain societies of speculators, formed during the first French revolution, for the purchasing of ecclesiastical and other edifices which were for sale at that time. These they pulled down and sold the materials; and they received this opprobrious name on account of the ruthless manner in which they destroyed the old relics and works of art, &c., which these buildings possessed.

BANDIT, *ban-di'* (Ital., *bandito*, an outlaw, one under a ban, or banished), literally signifies a banished or outlawed person; hence one who is at war with civilized society, a highway robber, a hired murderer. The banditti (or gangs of bandits) in Italy formerly formed among themselves a kind of guild, with very stringent laws, and carried on a constant warfare against civilized society. Although great efforts have been made to suppress them, they still commit outrages, especially in Sicily. The bandits of Greece and the Turkish frontier are numerous and ferocious. Their general plan of action is to capture some person of good position, and threaten to murder him unless his friends pay a heavy ransom.

BANERET. (See BANNERET.)

BANGORIAN CONTROVERSY, *ban-gor'-i-an*, one of the most remarkable controversies that has arisen in the Church of England. It was occasioned by a sermon preached by Hoadley, bishop of Bangor, before George I., March 31, 1717, on the text, "My kingdom is not of this world." In this discourse he descended upon the true nature of that kingdom which Christ came to establish upon earth; that it was wholly intellectual and spiritual; that he had not delegated his power, like temporal lawgivers, to any vicerents or deputies upon earth; and hence, that the Church did not, and could not, possess the slightest degree of authority under any commission, or pretended commission, derived from man; that the Church of England, and all other national churches, were merely civil or human institutions, established for the purpose of diffusing and perpetuating the knowledge and belief of Christianity; and that the truths of Christianity did not differ in their nature from other truths, except by their superior weight and importance, and were to be inculcated in a manner analogous to other truths, only demanding, from their higher import, a proportionably greater degree of care, attention, and assiduity in the promulgation of them. The publication of this sermon immediately produced a great commotion in the Church. It was condemned by a committee of Convocation, and the proceedings of Convocation were arrested by an order from government. Drs. Snape and Sherlock wrote confutations of it, for which these divines were removed from their

office of chaplains to the king. With the king and the government on the one side, and the church party on the other, the controversy was carried on with great animosity for many years.

BANISHMENT, *ban'-ish-ment* (Sax. *ban*, a proclamation, afterwards a curse), is the expulsion, by the judgment of some court or other competent authority, from any country or place, for some real or supposed offence—it may be for life, or only for a limited period. The term is also applied to the fleeing from one's own country to avoid some punishment or danger, when it is usually called voluntary banishment. Banishment, as a mode of punishment, has been prevalent in most civilized countries, ancient as well as modern. Among the ancient Greeks, banishment was mostly voluntary, the removing from the country of one accused of an offence; and laws were laid down defining its limits, duration, and legal consequences. The Greek name for banishment was *phuge*; whence is our word fugitive. Among the Romans, *exsilium* was the general term used to express banishment, of which there were three kinds: 1, *relegatio*; 2, *exsilium* proper, or *interdictio aque et ignis*; and 3, *deportatio*. *Relegatio* was the mildest form of banishment, by which the offender was interdicted from living in Rome or any particular province, or was compelled to reside in some assigned place, either for a definite or an indefinite period; but the sentence did not involve loss of property or citizenship. The *interdictio aque et ignis*—interdiction of fire and water—while it did not directly expatriate the culprit, or deprive him of citizenship, had the effect of incapacitating him from obtaining the means of existence in his own country, and thus indirectly compelled him to seek refuge in another. It was superseded by the third mode—*deportatio*, was the severest of all, introduced under the emperors. By it, the criminal was deprived both of property and of the rights of citizenship, and not unfrequently he was conveyed to some remote island, where, loaded with fetters, he was compelled to labour for the rest of his life. During the first French revolution, banishment (*déportation*) was introduced, and was substituted for the guillotine; and towards the end of Robespierre's administration it became very general. It still forms part of the French code, where it is classed in the third degree of infamous punishments, and when for life, it gives rise to civil death. Previous to 1848, however, this mode of punishment had long been in abeyance, imprisonment being usually substituted; but since that time it has been much employed as a means of getting rid of political offenders. As a punishment for crimes, compulsory banishment was unknown to the ancient law of England, although voluntary exile, in order to escape other punishment, was sometimes permitted. It is said to have been first introduced as a criminal punishment in the 39th year of Elizabeth, when a statute was enacted declaring that "such rogues as were dangerous to the inferior people should be banished the realm." But it was not till a much later period that this mode of punishment came into general use and obtained the sanction of the legislature. (See TRANSPORTATION.)

BANKRUPT, *bank'-rupt* (Fr., *banqueroutier*, *banquerout*; Ital., *bancro rotto*). The title of the first English statute relative to bankrupts—the 34 Hen. VIII. c. 4, which is said to be against "such persons as do make bankrupts,"—is a

literal translation of the French idiom, *qui font la route*. The old French word was *banqueroute*, from *banque* and *route*, i.e., *vestigium*, a track or sign. Thus a cart-route is the sign of the cart-wheel has gone; and *bankrupt* is metaphorically taken from the sign left in the wheel of a table once fastened to it and taken away. The 34 and 35 Hen. VIII. c. 4, and the 12 Eliz. c. 7, were English statutes, all the provisions of which were incorporated in 1 James I., which was for a considerable period the leading Act relating to bankrupts. According to these statutes, a bankrupt was considered a criminal offender. In 1731, an Act was passed, by which a bankrupt who secreted his property or books was made punishable by death; and John Ferrer was, under this law, hanged in 1761. In 1825, an Act, commonly known as Lord Eldon's Act, was passed, appointing Commissioners of Bankruptcy; and in 1831, Lord Brougham's Act, 1 and 2 Will. IV. c. 56, established a Bankruptcy Court, with six commissioners and official assignees to get in the bankrupt's estates on behalf of the creditors. The Bankruptcy Consolidation Act, 1849, authorized the commissioners to award certificates of three classes, and to refuse a certificate of any kind to a bankrupt who had been guilty of certain specified offences. This Act also permitted private arrangements by making a composition accepted by nine-tenths of the creditors. In 1861, another Act was passed making non-traders subject to the law of bankruptcy (abolishing the Court for the Relief of Insolvent Debtors), and empowering a majority in number and three-fourths in value to bind the majority. This Act led to so many frauds that, in 1869, another Act was passed, by which a new Court, consisting of a chief-judge (who was to be a judge of one of the Superior Courts of Law or Equity) and registrars were appointed, official assignees abolished, and parties, who should be creditors, appointed to distribute the bankrupt's estate, under the supervision of a committee of inspection appointed by the creditors. This is the Act at present (1881) in force. A bankrupt cannot receive his discharge unless his estate has paid ten shillings in the pound, or a majority of the creditors (three-fourths in value) consent to his discharge on the ground that he is not responsible for the deficiency. If a bankrupt, within three years, make up the dividend to ten shillings he may claim his discharge, and, in the meantime, his property is protected from the creditors; but if he fail to make up this dividend, any after-acquired property is liable. Composition and liquidation by arrangement are allowed, and the criminal jurisdiction of the Court of Bankruptcy is abolished. County Courts are local courts of bankruptcy. The Scotch Bankruptcy laws were amended in 1857, and a new Bankruptcy Act for Ireland passed in 1872.

BANNERET, *ban'-ner-et*, the highest title of knighthood, except that of the Garter, taking precedence after barons. It was usually conferred on the field of battle, on account of distinguished services. The ceremony of investiture was very impressive. The army having been drawn up in battle array, the knight banneret-elect was led forward by two other knights into the presence of the sovereign or general, who saluting him cried, "Advance Banneret," and at the same time the points of his pennon were cut off, and ever after he was entitled to carry a square flag or banner. Then, amid the sounding

of trumpets and a long recital of his doughty deeds, he was led back to his tent, where a noble entertainment was provided by the king. The first was said to have been made by Edward I., and the last was created by Charles I. at the battle of Edgehill, the individual receiving this honour being Sir John Smith. Since the institution of the title of Baronet, the order has died out. The dignity has not been conferred for a long time. Its origin is of uncertain date; but it was probably created by Edward I.

BANNS or MARRIAGE, *bans*, the public proclamation in church of the names and designations of persons about to be married; the object being that those who have objections to the marriage may have an opportunity of stating them. According to the law of England, the proclamation must be made on three successive Sundays in the church during the time of the celebration of public worship; and if the marriage be not performed within three months after the last proclamation, the same process must be repeated. The proclamation of bans may be dispensed with by obtaining a license from some one authorized by the bishop of the diocese to grant it, by a special license granted by the archbishop of Canterbury, or by a certificate from the superintendent registrar of the district. The ceremony of publishing bans had its origin in the primitive Christian church when persons were liable to ecclesiastical censure if they married without the approval of the Church. This led to a public proclamation of the intention of marriage, sometimes by posting notice of it on the church doors, and sometimes as now. In Scotland, marriage without bans is legal, but the persons are liable to the penalties levied on those who contract a clandestine marriage. (See LICENSE and MARRIAGE.)

BAPHOMET, *baf'-o-met*, the name of a mysterious symbol, or idol, which the Templars were accused of worshipping in their secret rites. The term is generally supposed to be a corruption of Mahomet, to whose faith the members of the order were accused of having an inclination. The idol consisted of a figure with two heads—one male and the other female; the figure was twisted round with serpents, and marked with astrological signs and Arabic inscriptions. Specimens are still to be seen in various continental collections. Von Hammer, however, derives the name from the Greek *baphe*, baptism, fire, and believes it to signify a baptism of wisdom or a spiritual illumination, in which sense Carlyle in his "Sartor Resartus," uses the phrase "baphometric fire baptism."

BAPTISM, *bap'-tizm* (Gr., *baptizo*, I wash or dip), is a sacrament of the Christian church, consisting of the application of water to a person in the name of the Father, the Son, and the Holy Ghost, by which he becomes initiated into the visible church. It is understood by some persons to be simply a symbol, that, even as the body is cleansed by water so the soul is purified by the Christian religion. Though an institution ordained by Christ himself, it is believed to be much more ancient, its origin being indeed completely lost in the mists of antiquity. Grotius is of opinion that it derives its origin from the Deluge, having been instituted in memory of the purification of the world by water. Baptism, or purification by water, is said to have formed part of the ceremony of admitting proselytes into

the Jewish church; and it is also said to have been the ceremony performed at initiation into the Eleusinian mysteries. Doubtless, as a fit and natural emblem of purification, washing by water may be supposed to have existed from a very early period. It was a customary practice in Egypt, Greece and Rome, as a preparation for prayer and a purification from sin. John's baptism was a significant symbol that it was not enough to be a child of Abraham, but that every man needed to be cleansed from his sins by repentance and a life of faith. Christ himself never administered baptism, but after His resurrection He adopted the rite when He sent forth His disciples to teach all nations, baptizing them in the name of the Father, the Son, and the Holy Ghost. From that day to the present time, it has been maintained by all sects save one—that of the Friends—of the Christian church. The Friends in doing away with all ceremonies, hold that baptism being only a symbol is merged in its fulfilment. The only conditions of receiving baptism in the early days were repentance and faith in Christ. This simple ceremony has caused bitter controversy to arise; and even at the present day it divides Protestant Christendom. How baptism is to be administered, and who are the proper subjects of it; whether it is to be done by sprinkling, by affusion or pouring, or by immersion or dipping; whether it is to be administered only to adults, or also to infants; these are some of the questions still debated. The Baptists are the most important sect that hold to adult baptism and immersion. (See BAPTISTS.) In the primitive church, the office of baptizing was vested principally in the bishops and priests, or pastors of the respective parishes; but, with the consent of the bishop, it was allowed to the deacon, and, in cases of necessity, even to laymen to baptize. It was administered only on the two solemn festivals of the year, Easter and Whituntide. The place of baptism was at first unlimited, but afterwards baptisteries or fonts (which see), were erected in or near churches for that purpose. By the Church of Rome, baptism is defined to be "a sacrament instituted by our Saviour, to wash away original sin, and all those we may have committed; to communicate to mankind the spiritual regeneration and the grace of Christ Jesus, and to unite them to Him as the living members to the head." In the articles of the Church of England, baptism is said to be "not only a sign of profession and mark of difference, whereby Christian men are discerned from others that be not christened; but it is also a sign of regeneration, or new birth, whereby, as by an instrument, they that receive baptism rightly are grafted into the Church: the promises of the forgiveness of sin, of our adoption to be the sons of God by the Holy Ghost, are visibly signed and sealed, faith is confirmed, and grace increased by virtue of prayer to God." The Church prescribes that baptism be administered only on Sundays and holy days, except in cases of necessity. She requires sponsors for infants—for every male child two godfathers and one godmother, and for every female child two godmothers and one godfather. Some of the early churches believed that baptism had the effect of washing away all previous sin, as well as original; and hence the administration of it was sometimes deferred till near the close of life, that all their transgressions might thus be removed.

Baptism of Bulls, a custom introduced during the 12th century, and still maintained by the Church of

Rome. The rite was similar to the baptism of persons, and was accompanied with much ceremony. The bells were sprinkled with holy water and anointed with the "oil of catechumens," and consecrated in the name of the Father, the Son, and the Holy Ghost.

BAPTISTS, *bap-tists* (sometimes called Antipædo-baptists, as being opposed to Pædo-baptists or those who preach infant baptism), a religious sect, who hold that baptism is only to be administered after a personal and intelligent profession of faith, and that it is to be administered by immersion, not by sprinkling. The question of infant baptism agitated the church at a very early period, and about the end of the 2nd century Tertullian declared against it. Several of the later fathers entertained similar views; but the doctrine of infant baptism continued to spread, and in the 5th century the opposite opinions were condemned as heretical by several councils. In the Middle Ages, the doctrines of the Baptists continued to gain ground notwithstanding persecution; so that, according to Mosheim, the number who professed them in the beginning of the 12th century amounted to 800,000. From this time to the commencement of the Reformation, Germany was the chief seat of the Baptists, whence they spread over Holland and other parts. Little, however, is known of them in England before the 16th century. They were persecuted in the reigns of Henry VIII. and Elizabeth, and several of them suffered at the stake. The first Baptist church was formed in London in 1603, and in 1881 they had in the United Kingdom no fewer than 3,537 places of worship, with accommodation for about a million persons. In the United States, they are much more numerous, constituting the most numerous denomination in the country, with the exception of the Methodists. Though all Baptists agree in holding that baptism is only to be administered on a profession of faith in Jesus Christ by the recipient, and that the only scriptural mode of administering it is by immersion, yet they differ among themselves on many other points, and are split up into several minor sects. The two leading sects are the Particular Baptists, who are Calvinistic in their views, and hold that Christ died for an elect number, and the General Baptists who maintain that Christ died for all men; these are again divided into the Old Connection or Unitarian, and the New Connection or Trinitarian, the latter by far the more numerous. There are likewise several smaller sects. Baptists differ among themselves also as to the admission of those who have not been baptised in their way to communion with them at the Lord's table, and to membership; the one class being termed open, the other strict, communionists. Baptists agree with Independents that each separate church is complete in itself, and has power to choose its own ministers. The Baptists were among the foremost in the field of foreign missions, and they have ever been very zealous in that cause. They have colleges at Bristol, Bradford, Pontypool, Haverfordwest, Nottingham, and Regent's Park, London. They reject the name Anabaptists (*q. v.*) and their method of church government is identical with that of the Congregationalists. Many of their ministers have done good service both to the cause of literature and science, and as preachers and writers have taken a very high position. There are in the United Kingdom, about 3,500 Baptist places of worship, and 260,000 members. Baptist views were introduced into America in 1630 by Roger Williams, who formed

the first Baptist church, in Rhode Island, in 1639. There are now about 1,700,000 members in the United States. The Baptist Union of Great Britain and Ireland, including all the churches of the denomination was formed in 1813. The Baptist Missionary Society was formed at Kettering, in Northamptonshire, in 1792.

BAR. A term having various significations in law.

In Courts of Justice, is an inclosure or place in which counsel or barristers-at-law stand to plead causes in court. It is also applied to the benches where the advocates are seated; because, anciently, there was a bar to separate pleaders from attorneys and others. Hence our lawyers who are called to the bar are termed barristers, an appellation equivalent to licentiates in other countries. (See BARRISTERS.) It is also the name of a place to which prisoners are brought to answer their indictments. A raised off space within the Houses of Parliament is similarly called the bar.

In Law.—Pleas in bar, or peremptory pleas, are founded on some matter tending to impeach the right of action itself, and their effect, consequently, is to defeat the plaintiff's claim altogether.

Bar of Dower, the term applied to the exclusion of a wife from her dower or benefit from the estate or property of her husband, as when she elopes, or is divorced, &c. (See JOINTURE, DOWER TRACE, &c.)

Bar, Toll. (See TOLL.)

BARDESANISTS, *bar-de-sa-nists*, a sect of early Gnostics in the East, who took their name from Bardesanes, a native of Edessa, in Mesopotamia, who flourished about the year 170. They held that Christ was not born of a woman, but brought his body with him from heaven; that the devil was not created by God, but was a self-existent, independent being; and yet that evil was not the eternal co-existent of good, but in this life was the result of the "reaction of matter on spirit." They also believed that there was no resurrection of the body.

BAREBONES PARLIAMENT, *bair-bones*, a name given by way of reproach to what is otherwise called the Little Parliament, summoned by Cromwell after the dismissal of the Long Parliament. It was so called after Mr. Praisegod Barbones, a "leather merchant in Fleet Street, and frequent in prayer," who was one of its members. It met on the 4th of July, 1653, and of the 140 members summoned to attend, only two did not come up. Very mistaken ideas long prevailed as to the character of this assembly. The members were said to have been chosen from the lowest, meanest, and most ignorant of the people—the very dregs of fanaticism; but Carlyle and others have put their character in a very different light. "They were men got together by anxious consultation of the godly clergy and chief Puritan lights in their respective counties, not without much earnest revision." Really they were a body of most sincere and earnest men, only too eager in their efforts to accomplish a great national and religious reformation, and failed because they attempted too much, rousing a storm of hostility from all classes whose interests they threatened.

BAREFOOTED, without any covering on the feet; a term applied to certain monks and nuns who continually—as in the case of the Alcantarines—or only at certain seasons of the year—as in the case of the nuns of our Lady of Calvary—walk without shoes or stockings. They do not form a separate order, but are to be found among all the orders of the Roman Church. The origin of this form of austerity may be traced to

the ancient custom of putting off shoes when mourning, or as a sign of humiliation. Some persons found it in the command given by Christ to His disciples to depart without shoes. (See Matt. x. 10.)

BARLAAM AND JOSAPHAT, *bar'-lam, jos'-a-fat*, is the name of one of the most widely-spread religious romances of the Middle Ages, which relates the conversion of an Indian prince, Josephat, by the hermit Barlaam. It was written originally in Greek, not by John Damascene, as some have supposed, but by an Eastern, probably an Ethiopian, Christian. A German translation of the original was published by Liebrecht (Münster, 1847). From a Latin version which was extensively circulated in the Middle Ages, were made three verse and several prose translations in French. From a Provençal original in the beginning of the 14th century, sprang the Italian "Storia di S. Barlaam;" and in Germany, Rudolph von Ems took his poem, "Barlaam and Josephat" from the Latin version. It was also translated into Spanish by Juan de Arce Solorzano; into Bohemian and Polish; and into Norwegian ("Barlaams och Josephats Saga") by King Hakon Sverreson (Christiana, 1852). It has even been translated into the Tagala language of the Philippines, and there printed (Manilla, 1712). Sanskrit scholars have pointed out that it is really the story of Buddha.

BARNABAS, THE EPISTLE OF ST., *bar'-na-bas*, an apocryphal work ascribed to Barnabas, the companion and fellow-labourer of St. Paul. This epistle lays greater claim to canonical authority than most of the other apocryphal writings. It is cited by Clements Alexandrinus, Origen, Eusebius, and Jerome, who admit it to be the work of Barnabas, but declare that it ought not to be esteemed of the same authority as the canonical works. It is published by Archbishop Wake among his translations of the works of the Apostolical Fathers, in the preliminary dissertation to which he gives the arguments adduced to prove it to be the work of St. Barnabas. It is, however, generally believed to have been written by some converted Jew in the 2nd century, and seems to have been addressed to the unconverted Jews. It is divided into two parts. In the first part, the writer shows the unprofitableness of the old law, and the necessity of the incarnation and death of Christ. He cites and explains allegorically certain passages relating to clean and unclean beasts, the Sabbath, the Temple, and the ceremonies and precepts of the law of Moses, applying them to Christ and his law. The second part is a moral instruction, under the notion of two ways—the way of light, under which is given a summary of what a Christian is to do that he may be happy for ever; and the way of darkness, with the different kinds of persons who shall be for ever cast out of the kingdom of God. A complete manuscript of the epistle was, in 1859, obtained by Tischendorf from the convent on Mount Sinai.

Barnabas, Gospel of St., an apocryphal work ascribed to Barnabas. It relates the history of Christ very differently from the Evangelists, and is believed to be a forgery of some animal Christian, and afterwards altered and interpolated by the Mahometans, the better to serve their purpose. It corresponds with those traditions which Mahomet followed in the Koran.

Barnabas Day, St., a day set apart by the English Church in remembrance of St. Barnabas, apostle and martyr, celebrated on the 11th of June.

BARNABITES, *bar'-na-bites*, the name of a religious order founded in 1530 by three Italian noblemen of Milan, who had been advised by a famous preacher of those days to read carefully the epistles of St. Paul; and hence they were also called Clerks of the Order of St. Paul. They took the name of Barnabites from having performed their first exercise in the church of St. Barnabas, at Milan. The monks soon established themselves in Italy, France, Austria, and Spain, and enjoyed the privilege of teaching theology in the schools of Milan and Pavia. They were confirmed by Pope Clement VII. in 1533. The order dress in black, like the secular clergy, and devote themselves to missions, the care of the sick, preaching, and the instruction of youth. It only exists at present in some parts of Italy.

BARON, *bar'-on* (Fr., *baron*), a title denoting the lowest rank in the peerage, the degree of nobility next below that of viscount. The etymology of the word is very doubtful, but it is probably derived from the Latin word *baro*, which at first signified a dull, stupid fellow, and afterwards, by some strange transmutation, came to denote a person of distinction. Originally, the name baron was applied in England to all the nobility, of whatever rank; because all noblemen were barons, even although they occupied a higher rank in the peerage. But it has sometimes happened, that when an ancient baron has been raised to a new degree of peerage, in the course of a few generations the two titles have descended differently; one, perhaps, to the male descendants, the other to the heirs general, whereby the earldom or other superior title has subsisted without a barony; and there are also modern instances where earls and viscounts have been created without annexing a barony to their honours; so that now the rule does not hold universally, that all peers are barons. The origin and antiquity of barons have occasioned great inquiries among English antiquaries. The most probable opinion seems to be that they were the tenants in chief of the crown, persons who held lands of the crown by military or other services, and who were bound to personal attendance in the king's court when he should please to summon them, to do homage to him, and to assist in the administration of justice and in the transaction of other business that was done in the court of the king. Thus, originally, all lords of manors, or barons that held of the king *in capite*, had seats in the great council or parliament. In the reign of King John, however, the conflux of them became so great and troublesome, that the king was obliged to divide them, and summon in person only the greater barons, leaving the smaller ones to be summoned by the sheriff, and, as it is said, to sit by representation in another house, which gave rise to the separation of the two houses of Parliament. By degrees, the title came to be confined to the greater barons, or lords of Parliament only, and as these were summoned by writ, the production of that writ constituted their right to sit and vote. Hence, actual proof of a barony by tenure became no longer necessary to constitute a lord of Parliament; but the record of the writ or summons to him or his ancestors was admitted as a sufficient evidence of the tenure; and hence, too, the acquisition of territory no longer, as originally, annulled its possession. Another class of barons—barons by patent—was constituted in 1288, by Richard II. (the first being Beauchamp of Kidder-

minster, who received it as a title of honour), irrespective of the tenure of lands. In barons by writ, the dignity descends to heirs general; in barons by patent, it goes according to the tenour of the patent. When a person, who was a baron by tenure, received the king's writ to repair to the Parliament, the receipt of the writ, and obedience to it, created in him a dignity as a lord of Parliament, which adhered to him during his life, and was transmitted to his heir. Some, however, are of opinion that there must be at least two writs of summons, and a sitting in two distinct Parliaments, to evidence an hereditary barony; but there have at least been many adjudications of claims to dignities made in accordance with the former view. The mere writ, however, does not ennoble a man unless he has actually taken his seat in the House of Lords. In consequence of the inconvenience thus attending it, creation by letters patent is now usually adopted, except in the case of the eldest son of a peer, there being here no danger of the children losing their nobility, even should their father never take his seat. Creation by letters patent is perfect and complete as soon as the great seal is affixed; but it labours under this disadvantage, that the course of descent by which it is intended that the dignity should pass must be specifically laid down in the patent, otherwise it ceases with the life of the grantee. When a baron is summoned to the House of Peers by writ of summons, the writ is in the name of the Sovereign. The right of wearing a coronet was first conferred on barons by Charles II. It is adorned with six pearls, set at equal distances, of which four are usually shown. Barons are styled "right honourable," and addressed officially by the Crown as "right trusty and well-beloved." Their children enjoy the prefix of "honourable."

Baron and Feme (old Fr.), terms used in the old law books for husband and wife; in this case the word "baron" signifies man in general. In Heraldry, the expression is used to designate the bearing by which the arms of husband and wife are marshalled side by side on the same shield, the husband's arms being on the dexter side.

Barons of the Cinque Ports were, previous to the Reform Act of 1832, members of the House of Commons elected by the five ports. (See **CINQUE PORTS**.)

Barons of the Exchequer, the title of the Judges of the Court of Exchequer, previous to the passing of the Judicature Act, the chief judge bearing the title of Chief Baron. (See **EXCHEQUER, COURT OF**.)

Barons' War, the war between the barons of England (headed by Simon de Montfort, Earl of Leicester, and Gilbert de Clare, Earl of Gloucester), and Henry the Third. It broke out in 1264, and the King's army was defeated at Lewes. The barons lost the battle of Evesham (August 4, 1265), in which De Montfort was killed but did not entirely submit till 1268.

Baron of Beef, the double surlion of a bullock, some times weighing nearly 100 lbs. It is roasted to furnish a grand dish on great festive occasions and civic feasts.

Baron Court. (See **COURT BARON**.)

BARONAGE, *bar'-o-naj*, a collective noun, signifying the whole body of the barons; but used also in a wider sense, to comprise the whole of the nobility, without regard to the distinction of dukes, marquises, earls, viscounts, and barons. It is used in this latter sense by Sir William Dugdale, in his work, "The Baronage of England" (1675-6).

BARONET, *bar'-o-net*, an English title of dignity, which properly signifies "a little baron." James the First being in want of money, hit upon



BABYLONIAN CAPTIVITY: THE MORNING JAWS, BY BENDELMANN.



BYZANTINE EMPEROR AND ATTENDANTS.

the expedient of creating this new dignity, in 1611, and offered it to 200 gentlemen of good birth, possessing a clear estate of £1,000 a year, upon condition that each should pay into the royal exchequer, in three equal instalments, a sum equivalent to three years' pay of thirty soldiers, at 8d. a man per day, or about £1,095, the first instalment to be paid on delivery of the patent. The money was professedly for the purpose of settling and improving the province of Ulster, in Ireland, which had become vested in the crown by the attainder of its previous owners; and hence these baronets had the right of adding to their family arms those of that province, familiarly known as "the bloody hand." It was stipulated, on the part of the king, that the number of baronets should never exceed 200, and that, as the number was diminished by the extinction of families, or otherwise, no new creations should be made to supply their places. This stipulation has long been disregarded, and new baronets are created every year. It was also stipulated that no hereditary dignity should ever be created to intervene between baronets and the peerage. Sir Nicholas Bacon was the first baronet created. Payment of money will no longer obtain the title; but the ancient form of the patent is still retained, as when money was given for it; and it is always accompanied by a discharge from the Exchequer, as if the stipulated sum had actually been paid in. Baronets are entitled to the prefix of "Sir," and the suffix of "Baronet"; and their wives are styled "Lady," "Madam," or "Dame," according to usage. The rank of baronet is the last of the hereditary titles; but a baronet has no robes, coronet, or distinctive badge whatever, except in the case of Scottish baronets, who, in 1629, were granted the privilege of wearing an orange riband and badge. In 1699 the dignity of baronet was created in Ireland, upon the same terms as in England; and shortly before the death of King James, the plantation of the province of Nova Scotia, in North America, was assigned as a cause for extending the same offers to Scotland. The king did not live to fulfil his intention; but Charles I., soon after his accession, created the first baron of Nova Scotia. From the Union, in 1706, baronets created in England or Scotland became baronets of Great Britain; and those created since 1800 are baronets of the United Kingdom. The only instance of a baronetcy being conferred upon a female occurs in the case of Dame Mary Boles, of Ashurton, who, in 1695, received that dignity, with remainder to her heirs whatsoever.

BARONY, *bar-o-ne* (Lat., *baronia*, or *baronagium*), is that honour and territory which gives title to a baron, comprehending not only the fees and lands of temporal barons, but of bishops also who have two estates—one as they are spiritual persons, by reason of their spiritual revenues and promotions; the other grew from the bounty of our English kings, whereby they have baronies and lands added to their spiritual livings and preferments. Manors were formerly called baronies, as they still are lordships; and the manor court is still called Court Baron. Formerly a civil and criminal jurisdiction was attached to baronies; but such jurisdiction is now so limited as to be almost obsolete.

BARRACKS, *bar'-racks* (Fr., *barraque*, a cabin or hut), ranges of buildings erected for the reception and accommodation of large bodies of soldiers, including quarters for officers and men,

officers' mess-rooms, guard-rooms, stables, hospitals, and various other requisite premises. The word originally meant a rough wattled shed, hastily put up for cavalry; those of a similar construction designed for infantry being called huts. The Duke of Wellington when commander-in-chief of the forces, about 1820, placed the barracks under the management of the Board of Ordnance, making an officer, known as the resident barrack-master, responsible for the care of the buildings, and all articles issued from the barrack-office for each soldier's use. When the Board of Ordnance was broken up in 1855, the barrack department of the service was placed under the direct control of the War-office, the Royal Engineers having to take charge of the buildings, and to see that all necessary repairs are efficiently executed. The accommodation and sanitary condition of barracks have been greatly improved within the last few years.

BARRACON, *bar'-ra-koon*, a station or dépôt on the coast of Africa, where captured slaves are collected together and guarded until they are removed by the traders in their vessels.

BARRATRY, *bar'-ra-tre* (Old Fr., *barat*, from which is still retained *barateur*, a cheat; from the Dano-Norman *bæret*), is the offence of frequently inciting and stirring up suits and quarrels between her Majesty's subjects, either at law or otherwise; the punishment for which is fine and imprisonment. To the offence of barratry may be referred another offence of equal malignity and audaciousness—that of suing another in the name of a fictitious plaintiff, either one not in being at all, or one who is ignorant of the suit. If the offence be committed in any of the superior courts, it is considered a high contempt, and punishable at the discretion of the court. In courts of a lower degree, it is punishable by six months' imprisonment, and treble damages to the party injured. (See also CHAMPERTY, MAINTENANCE.)

BARRICADE, *bar'-ri-kaid* (Fr.), a term employed to distinguish the temporary defences raised in order to obstruct the attacks of an enemy in the field. It is still more generally employed to denote the defences thrown up in towns during a time of revolution or insurrection. At such times barricades are composed of whatever substances are nearest at hand; carts filled with stones, baskets of earth, household furniture, and bales of wool or cotton, have all been employed for this purpose. Barricades were resorted to in Paris in the wars of the League (1568), and the Fronde (1648). During the revolutions in Paris in 1830 and 1848, the populace made barricades by raising up and piling together the paving-stones of the streets, from behind which they fired at the soldiery. In June, 1848, a barricade fight lasted for three days, and 16,000 persons were killed or wounded, and 8,000 taken prisoners. In the same year there were barricade fights at Berlin, Vienna, and other places. The term barricade is occasionally applied to the barriers which defend a fortress.

BARRIER, *bar'-ri-er* (Fr., *barrière*), a piece of woodwork or fence, which presents an obstacle to passing through any entrance where it is fixed. In fortification, barriers of this kind are generally composed of great stakes four or five feet high, placed at a distance of eight or ten feet from each other, with transoms or overthwart rafters. Their purpose is to prevent the entrance to any

passage or intrenchment of horse or foot. In the middle is a movable bar, which can be opened or shut as required. The term *barrage* is also used to signify a fortification or strongly-guarded place on the frontiers of a country. The barrier fortresses of Flanders are instances.

BARRIER ACT is the name given to an act of the General Assembly of the Church of Scotland, passed in 1697, to prevent the too hasty adoption of any important measure. The proposal of any alteration in the rules or constitution of the church must first be brought before the General Assembly in the form of an overture, which, if approved of, it is then transmitted to the several presbyteries for their consideration, with injunctions to forward their opinions to the next General Assembly, by which it may be passed into law only if it have obtained the concurrence of the majority of the presbyteries.

BARRIER TREATY is the name given to a treaty entered into between the Dutch and the emperor of Germany in 1715, shortly after the peace of Utrecht. In terms of this treaty, Austria received possession of all the provinces which had belonged to Spain, with the addition of the greater part of the places taken during the war with France. A large force, consisting of not less than 30,000 men, was to be maintained in the country, whereof the emperor was to furnish three-fifths, and the States the remainder. The annual sum of 500,000 crowns was to be paid by the emperor towards the payment of the Dutch troops; and he solemnly engaged not to transfer these provinces to a prince of the house of Bourbon, either by sale, marriage, or otherwise.

BARRISTER, *bar'-ris-ler* (from *bar*, or *barr*, and Old Fr., *cater*, to remain or continue: thus the combination of the two forms, *barrister*, one who takes his station at a bar; who continues there, that is, who carries on his profession at the bar; a pleader of causes). Barristers were first styled *apprentices* (*apprentici ad legem*), from Fr., *apprendre*, to learn, who answered to the bachelors of the universities, as the state and degree of a *serjeant* (*servientes ad legem*) did to that of doctor. Apprentices or barristers seem to have been first appointed by an ordinance of King Edward I., in parliament, in the 20th year of his reign. (Spelm. Gloss. 37; Dugdale, Orig. Jurid. 55.) The time before they ought to be called to the bar, by the ancient orders, was eight years (afterwards reduced to five); and the exercises done by them (if they were not called *ex gratia*) were twelve grand moots, performed in the inns of chancery, in the time of the grand readings; and twenty-four petty moots, in term time, before the readers of the respective inns of court. The privilege of conferring the rank or degree of barrister-at-law is exclusively enjoyed by the inns of court, which are the Inner Temple, the Middle Temple, Lincoln's Inn, and Gray's Inn. The possession of this rank constitutes an indispensable qualification for practising as an advocate in the superior courts at Westminster. No other means of becoming an advocate exist but that of becoming enrolled as a student in one or the other of these inns, and applying, after a certain period, to its principal officers (or *benchers*) for a call to the bar. As a qualification for a call, the student must have kept commons for three years (i.e., twelve terms), by dining in the hall of the society at least three times in each term; and it

is further required by the society of Lincoln's Inn that he should have been a member for five years, unless he have taken the degree of master of arts or bachelor of law in the universities of Cambridge, Oxford, or Dublin, or unless he shall apply to be examined in law, and pass a sufficient examination therein, in which case three will be sufficient. The benchers have the power of conferring the honorary degree of barrister on whom they will, without those requirements, as in the case of the present Prince of Wales, who was called to the bar by the society of the Middle Temple. Lectures have been instituted, and an annual (*optional*) examination in law, and high degrees of academical learning established, of students proposed for the bar, with prizes and certificates for the most distinguished. The business of legal education has been long conducted in private channels, a method which experience has proved to be efficacious; the usual plan being to obtain admission into the chambers of a practising barrister, conveyancer, or special pleader, where, in addition to the opportunities of observing the course of practice, the pupil enjoys for some time the advantage of tuition in the grounds and principles of the law. Scotch barristers are styled advocates. (See ADVOCATE.) None but a barrister can be appointed to the office of Judge or Recorder; but it is not necessary that the chairman of a Court of Quarter Sessions should be a professional lawyer. As to the privilege of barristers from arrest, see ARREST; and as to their duties and general privileges, see COUNSEL.

BARTHOLOMEW'S, ST., DAY, a festival of the Church, observed on the 24th of August, in honour of St. Bartholomew, apostle and martyr.

BARTHOLOMEW, ST., MASSACRE OF, an atrocious carnage that took place in France, on the night of St. Bartholomew's day, 1572. The king, Charles IX., at the instigation of his mother, Catherine de Medicis, the queen dowager, invited to Paris, under a solemn oath of safety, the principal Protestants of the kingdom, in order to celebrate the marriage of the king of Navarre, with the sister of the French king. On a given signal, at midnight, the massacre commenced; men, women, and children were involved in one common destruction. The city resounded with the groans of the dying; the dead bodies were cast into the streets, and the channels flowed with blood. In Paris alone, it is said that more than 10,000 persons were put to death on that night. But the butchery was not confined to Paris; at Orleans, Rouen, Meaux, and other places throughout France, similar cruelties were perpetrated; so that in all, according to Sully (whose account is the received one), 70,000 persons were massacred on this occasion. Pope Gregory XIII. ordered special religious services and public rejoicings for this "destruction of the heretics."

BARTHOLOMEW'S, ST., HOSPITAL, in Smithfield, London, was originally a part of the priory of St. Bartholomew, founded in 1102, by Rahere, minstrel to Henry I. It was refounded and incorporated in 1546, after the dissolution of the monasteries, and has been frequently enlarged. About 6,000 in-patients and 100,000 out-patients are relieved every year.

BARTHOLOMITES, *bar-thol'-o-mites*, a religious order which settled at Genoa in 1307,

having been expelled from Armenia, but suppressed by Pope Innocent X. in 1650, in consequence of the irregularities of the monks. In the church of the monastery of this order, at Genoa, is the image pretended to have been sent by Christ to King Abgarus.

BARUCH, THE PROPHECY OF, *bar'-uk*, is the name of one of the apocryphal books subjoined to the canon of the Old Testament. Baruch was the disciple and amanuensis of the prophet Jeremiah, and this book has been reckoned part of Jeremiah's prophecy, and is often cited by the ancient fathers as such. It is said, in the preface to the book, to have been written by Baruch at Babylon, by the appointment of the king and the Jews; and in their name; that it was afterwards read to them for their approbation, and then sent to Jerusalem, with a collection of money, to Joachim, the high priest, and to all the people. The Jews rejected this book, because it did not appear to have been written in Hebrew; nor is it in the catalogue of sacred books given us by Origen, Hilary, Rufinus, and others. St. Cyril of Jerusalem, however, and the Laodicean council, held in 364, mention Baruch among the canonical books of Scripture, and join it with the prophecy of Jeremiah. A supposed Epistle of Jeremiah is often appended, forming the sixth chapter. There are three ancient copies of this book extant—one in Greek, the other two in Syriac; but in which of these languages, or whether in any of them, it was originally written, is uncertain.

BASE OF OPERATIONS. Some spot or line which the general of an army relies upon as a stronghold and magazine, where food can be stored, and hospitals established. It is, of course, highly necessary to maintain free communication with this base of operations.

BASE FEE, is one of the three kinds of estates in fee-simple, and has a qualification subjoined thereto, which must be determined whenever the qualification annexed to it is at an end. The estate is a fee simple because it is limited to the heirs general, and may by possibility endure for ever; yet, as that duration depends upon the concurrence of collateral circumstances which qualify the duration, it is, therefore, not an absolute, but a qualified or base fee. It is proper to observe, with respect to this term of *base fee*, that it has usually a more restricted application, viz., to that species of qualified fee which is created where a tenant in tail conveys his estate by bargain and sale, &c., and which Lord Coke describes as a determinable fee derived out of an estate tail; and in the act for abolition of fines and recoveries, 3 and 4 Will. IV. c. 74, its meaning is, by express provision, confined (so far as that act is concerned) to the estate created by the alienation of the tenant in tail where the issue are barred, but those in remainder or reversion are not.

BASEL, BASLE, or BALE COUNCIL OF *bal*, is the name given to an important ecclesiastical council held in the city of Basel, in Switzerland. It was summoned by Pope Martin V. and his successor, Eugene IV., in conformity with a decree of the council of Constance, and met on December 14, 1435, under the presidency of the cardinal-legate, Julian Cesarini. The two great objects of the council were the reconciliation of the Hussites to the Roman Catholic church, and the reformation of abuses in the

Church itself; and the council was opened with an eloquent speech by the president. The former of these objects was contrary to the wish of the Pope, who soon after issued his bull for the dissolution of the council. The members, however, maintained that the Pope had no power of dissolving a general council once lawfully convoked and assembled, and, on his continuing to issue bulls against them, they summoned Eugene to appear at their bar. Notwithstanding the papal bulls, the council concluded a peace in the name of the Church with the Hussites, to whom they allowed the use of the cup in the Lord's Supper. Through the intercession of the emperor Sigismund, a reconciliation was effected between the council and the Pope, the latter revoking the bulls which he had issued against the council, and gave forth another, dated December 15, 1435, solemnly ratifying all its decrees. The council next proceeded to the reformation of abuses in the Church. The powers of the Pope were much diminished and his revenues curtailed, and punishments were appointed for certain immoralities of the clergy. These proceedings greatly exasperated Eugene, who summoned another council at Ferrara, and issued a bull for the dissolution of that of Basel. He was again cited to appear at their bar, and, on his failing to do so, was declared contumacious, and afterwards, in 1439, they decreed his suspension from the popedom, and elected Amadeus VIII., of Savoy, under the name of Felix V., in his room. Many of the members had by this time withdrawn from the council, and these proceedings were generally disapproved of by the Catholic world. The assembly, however, went on to hold its sessions at Basel for five years longer. Its last session there was held in May, 1443. Subsequently, it continued to meet at Lausanne till 1449, when, after the death of Eugene and the resignation of Felix, an amnesty was offered to them by the new Pope, Nicholas V., which they gladly accepted, and declared the council at an end. The decrees of the council of Basel are not admitted into any of the Roman collections, and are considered of no authority by the Roman lawyers. They are, however, recognized in points of canon law in France and Germany; and though some later concordats have modified the application of them, they have never been formally and entirely annulled.

BASEL, TREATIES OF, the name given to two important treaties of peace concluded at Basel on the 5th April and 22nd July, 1795: the former of these was between France and Prussia, the latter between France and Spain, by which Prussia and Spain withdrew themselves from the coalition against France, and acknowledged the republic. Prussia gave up to France all her possessions beyond the Rhine, while Spain ceded her portion of the island of San Domingo.

BASHAW. (See PASHA.)

BASHI-BAZOOKS, *ba-shi-ba-zooks*, irregular cavalry troops in the Turkish service. In the war in the Crimea they were frequently engaged with the enemy; but they were turbulent and insubordinate, and plundered whenever occasion offered, so that they were generally more troublesome to their friends than to the enemy. In the terrible scenes in Bulgaria in 1878, the Bashi-Bazouks committed many outrages.

BASILIAN MONKS, *ba-sil'-i-an*, monks of

the order of St. Basil, who lived in the 4th century. He retired into a desert in the province of Pontus, where he founded a monastery for the accommodation of himself and his numerous followers, and, it is said, drew up certain rules, amounting to several hundreds, for the better regulation of this new society. This new order soon spread all over the East; nor was it long in extending also into the West. Some assert that Basil saw himself the spiritual father of more than 90,000 monks in the East only; but this order, which flourished for more than three centuries, was considerably diminished by heresy, schism, and a change of empire. It is said to have furnished 14 popes, 1,805 bishops, 3,010 abbots, and 11,085 martyrs. It likewise boasts of several emperors, kings, and princes who have embraced its rule.

BASILICA, or BASILICAN CODE,

bas-il-i-ka, a Greek translation of the *Codex Justinianus*, a code of laws connected together by Justinian I., emperor of Rome, in 527. The design of reducing this code of laws into one Greek book was first commenced by Basil I., the Macedonian, emperor of the East, in the 9th century. The Basilican code, however, was not reduced to its present form till the early part of the 10th century, by Constantine VII., when it was published under the title of "Basilica reposita Prælectiones." From that period it became the common code of laws for the East.

BASILIDIANS, *bas-i-lid-i-ans*, is the name given to a religious sect founded by Basilides, a Gnostic of Alexandria, who flourished in the earlier half of the 2nd century. The two great dogmas which formed the groundwork of his system were those of emanation and dualism. He held that the unrevealed God evolved out of himself the several attributes which express the idea of absolute perfection, being the intellectual powers, the mind, the reason, the thinking power, wisdom, might, and, lastly, the moral attributes. These seven powers, which he regarded as living, self-subsistent, and ever-active, together with the rimal ground out of which they were evolved, constituted the first *odead*, or octave, the root of all existences. Each of these spiritual essences proceeded to evolve out of itself continually numberless gradations of existences, each lower one being still the impression, the *antitype* of the immediate higher one. As he had in his system even homogeneous natures in each gradation of the spiritual world, so he is said to have held that there were 365 such regions or gradations of the spiritual world, answering to the days of the year. One grand idea of this system was, that different degrees, and under different forms of application, one law pervades all stages and kinds of existence; and that everything, from the ghost to the lowest, is governed by a single law. He considered the development of the human race as a process of purification, which was to be effected by Christianity.

BASTARD, *bas-tard* (Welsh, *bastard*; Fr., *ard*, of low birth; from Ang.-Sax., *base*, an, disgraceful, and *ard*, source, origin). In English Law, bastards are such children as are born in lawful wedlock, or whose parents have not been married previous to their birth, and held to be *filii nullius*, the sons of nobody. In civil and canon law, adopted in Scotland most Continental countries, legitimize the child whose parents afterwards marry; and the

same principle was advocated by the clergy of England previous to the statute of Merton (1236), when the assembled barons declared, *Nolumus leges Angliæ mutari*—"We will not have the laws of England changed." If children be born in *any* so short a time after marriage, they are legitimate; but, notwithstanding they be born during marriage, they may be proved bastards where the husband be absent for such time as will shut out the presumption of access to his wife, and by other cogent evidence; as by proof of the impotency of the husband, or that he and his wife had no opportunity of intercourse within such period as is consistent with their being the parents, or even by proof of circumstances tending strongly to the inference that no such intercourse (supposing it to be possible), in fact, took place. So in a divorce, after a decree of judicial separation, if the wife afterwards have children, they are bastards; for the law will presume the husband and wife live conformably to the sentence of separation, unless access be proved. After a decree for dissolution of the marriage on the ground of adultery, all children of the woman not born within due time thereafter, even though they may be begotten by the husband from whom she has been divorced, are illegitimate. And in case of a decree of nullity of marriage, all the issue born even before the divorce are bastards, because such divorce is always upon some cause which rendered the marriage unlawful and null from the beginning. But except where a divorce has taken place between the married parties, or evidence is given of facts sufficient to disprove the intercourse, the law always presumes in favour of the legitimacy of a child born to the wife during the marriage. Upon the same principle, too, legitimacy will always be presumed (subject to the same exceptions) with respect to children born after the husband's death, unless the birth takes place so long afterwards that the child clearly could not be begotten by him. The extreme period is a point which the law has not exactly determined, and is left to the decision of a jury, who are to judge of it according to the circumstances and the testimony which persons of experience may give of the course of nature on this subject. Bastards cannot inherit real property, nor can they claim any share as right of kin to a party dying intestate. If there be no other claimant upon an inheritance, it is escheated. Bastards have no other heirs than those of their own bodies, for, as they have no legal ancestors, they can have no collateral kindred. The prohibition as to marriage, which extends to collaterals and to those related by half-blood only, also apply, although one of the parties be a bastard, and the laws relative to incest apply to a bastard with equal effect as to the others; for, although an illegitimate child is civilly *filius nullius*, his relationship to his natural parent is recognized for moral purposes. A bastard is not entitled to take the surname of either his reputed father or mother; but it has been a common practice to use the Norman-French prefix "Fitz," as in the case of Fitzroy or Fitzclarence. He does not follow his father's place of parochial settlement, but, until he attains the age of 16, his parochial settlement is that of his mother; and after that age his primary settlement is in the parish where he was born. Being "nobody's son," the consent of his father or mother to his marriage is not required. The father of an illegitimate child has not the power to appoint a guardian for the infant. A bastard can hold land,

and dispose of it as he thinks fit, by will or otherwise; but, previous to 1836, the law of Scotland did not permit him to do so. In England, a bastard can be made legitimate by Act of Parliament; in Scotland, either by the marriage of his parents subsequent to his birth, or by letters of legitimization granted by the Sovereign; such letters, however, not enabling him to succeed as heir to his father, for the private rights of third parties cannot be set aside even by royal prerogative. Several Acts of Parliament relating to the maintenance of bastard children have been passed in the course of the present reign, those of 1872 and 1873 being the latest. The father is bound to make an allowance for the child's support (not exceeding five shillings a week) until it reaches the age of 16; but the duty of maintaining the child devolves upon its mother, and if, having the ability, she neglects the duty, so that the illegitimate child becomes chargeable to the parish, she is liable to punishment under the Vagrant Act. In England, the evidence of the mother, if supported in some material particulars by other testimony, is sufficient to prove the paternity; but in Scotland the mother's evidence is taken last, and not at all unless the collateral evidence is incomplete.

Bastard Bar, in Heraldry, is a diagonal bar or baton, from the right hand side of the top of the shield to the left hand at the bottom, not reaching to the extremities of the shield, or to the quarter in which the paternal arms are placed, but cut short at the ends. The bar is of comparatively recent origin, for in early times bastards were not permitted to assume the arms or even the names of their fathers. Sometimes, as a special privilege in return for eminent services, the bar was made dexter instead of sinister, that is, the direction of the diagonal was reversed, and that was supposed to remove the disgrace of bastardy.

Bastard Eigne, the name given in English law books to an eldest son illegitimate by birth, but whose parents afterwards married and had other children born in lawful wedlock.

Bastardy, Gift of.—By the Scotch law, the Crown may, by what is called a *gift of bastardy*, grant not only the personal, but the real estate of an intestate bastard to the "donatory," or person who would be entitled under other circumstances.

BASTILLE, *bas-teel'*, the name formerly used in France to denote a fortress or state prison defended by towers or bastions. There were three buildings of this sort in Paris—the Bastille de St. Antoine, the Bastille de St. Denis, and the Bastille du Temple. The first is the most celebrated, and was built by Hugues d'Aubriot, mayor of Paris in 1369, at the Porte St. Antoine, and was originally intended as a defence against the English. It consisted, at first, of two towers, between 70 and 80 feet high, with a gateway between them. It was soon changed from a fortress to a state prison, and two other towers, similar to the first, were built parallel to them, and the whole connected with massive walls. In 1386, two more towers were added, at equal distances to the first, and also united with strong masonry. The towers were each divided into four stories, and the summit of each was fortified with cannon. The whole building was surrounded with a deep moat; and the road into the inner courtyard was over a drawbridge. The unfortunate prisoners, who principally consisted of noblemen and men of letters, were confined within the towers, or in dungeons below the level of the ground. The principal officers in command of the Bastille were the governor and the *lieutenant de roi*. The mode of arresting prisoners was by *lettres de*

oacht, sometimes signed by the king himself, and countersigned by one of the ministers. After a prisoner was immured, his name was never mentioned; he was always known by the number of the cell or dungeon in which he was confined. The French mob attacked the Bastille on the 14th of July, 1789, and it was yielded up to them, after a few hours, by M. de Launay, the governor, who was immediately afterwards, with others, taken to the Place de Grève, and there beheaded, the heads being afterwards carried on pikes through the streets. Seven prisoners were found inside, one of whom was an Englishman, and he was deranged. The whole building was soon after demolished, by a decree of the mayor and committee. The site of the building, on the Place de la Bastille, is marked by a lofty bronze column, crowned by a gilded figure of Mercury spreading his pinions for flight. The names of 654 persons who took part in the destruction of the Bastille are marked on the column.

BASTINADO, *bas-ti-na'-do* (Ital., *bastonare*, to beat with a stick), a punishment attended with great pain, and often with bodily injury, consisting in the strict sense of the term, in the infliction of blows on the soles of the feet with a thick stick. It is sometimes applied to beating administered on the body and limbs. The bastinado is a common kind of punishment in China, as well as in Persia, and in some parts of Asiatic Turkey, and all Eastern nations professing the Mahommedan faith, blows being ordered by the Koran for many offences of a minor character.

BATHS AND WASH-HOUSES, PUBLIC. These useful establishments were first introduced in Whitechapel and Liverpool in 1844. The number increased, and in 1846 an Act of Parliament was passed enabling borough councils and parish vestries to establish public baths and wash-houses "for the health, comfort, and welfare of the inhabitants of populous towns and districts." Other Acts giving an extension of power and providing for swimming baths have since been passed. Not only nearly all the great towns of England, but the principal cities of the Continent, now possess establishments of this description. The wash-houses, or public laundries, have conferred great benefits, in the way of economy, cleanliness, and comfort, on the working classes. They have an abundant supply of hot and cold waters, and hot air drying compartments.

BATH, ORDER OF THE, an order of knighthood, so called from bathing having anciently formed part of the ceremony previous to installation, as emblematic of the purity to be required of the knight by the laws of chivalry. To this order is usually attributed a very high antiquity. That bathing, from the earliest times, formed part of the ceremony to be undergone previous to receiving the honour of knighthood, is well known; but we meet with no mention of a distinct order of this name previous to the coronation of Henry IV., when that monarch conferred the honour upon forty-six esquires, who had watched all the night before in the Tower of London, and then bathed themselves. Afterwards, it became customary for the English kings to confer this dignity at the time of their coronation, or on other great occasions; as on the coronation of their queens, the inauguration of the prince of Wales, birth or marriage of royal children, &c. The last knights of the Bath

created in the ancient form were made at the coronation of Charles II., in 1661, from which time the order was discontinued till it was revived by George I., in 1725, who ordered a book of statutes to be drawn up for its government. By this, the number of knights was fixed at thirty-eight; viz., the sovereign, a prince of the blood-royal, a grand master, and thirty-five knight companions. At this time it was a regular military order; and, in 1875, the prince-regent extended the limits of the order of the Bath, and ordained that henceforth it should be composed of three classes, differing in rank and degree of dignity. The order was still purely military; but, in 1847, it was extended to the admission of civil knights.

Constitution of the Order. The first class of the order consists of knights grand cross (K.G.C.); the number not to exceed, for military service, 50, exclusive of the sovereign, prince of the blood-royal, and such distinguished foreigners as may be nominated honorary K.G.C.; and for civil service, 25. *Second class*—knight commanders (K.C.B.); number not to exceed, for military service, 102; for civil service, 50, exclusive of foreigners. The members of this class, as well as of the first, are entitled to be styled *Sir*, and take precedence of knights bachelor. *Third class*—companion (C.B.); number not to exceed, for military service, 525, and for civil service, 200. They take precedence of esquires; but are not entitled to the appellation, style, &c., of knights bachelor. No officer can be nominated to the military division of the third class of the order unless his services have been marked by special mention of his name in the *London Gazette*, as having distinguished himself in action against the enemy; and the order has never been conferred on any officer below the rank of major in the army or commander in the navy.

Badges and Stars. The badge for the military classes of the order is a gold Maltese cross of eight points enamelled, argent, having in each of the four angles a lion passant-guardant; in the centre, the rose, shamrock, and thistle, and three crowns; the whole encircled with the motto of the order, *Eria juncta in uno* (three joined in one), and a laurel wreath, with the legend *Ich dien* (I serve) inscribed below. It is worn by the Grand Crosses pendent from a red ribbon across the right shoulder; by the Knight Commanders, from the neck; and by the Companions, from the buttonhole. The collar is of gold, an inch and an eighth in depth, and weighing 30 ozs. It is composed of nine imperial crowns, eight gold roses, thistles and shamrocks, enamelled in colours, and tied or linked together with seventeen gold knots enamelled white, having the badge of the order pendent therefrom. The star of the military grand crosses is formed of rays or flames of silver, thereon a gold Maltese cross, with, in the centre, three crowns, surrounded by the motto of the order, a laurel wreath, and having underneath, *Ich dien*. The star of the civil K.G.C. is of silver, formed with eight points or rays, charged with three crowns upon a glory of silver rays, surrounded with a red circle, upon which is the motto of the order, the laurel wreath, and underneath, *Ich dien*. Their badge is of gold, composed of a rose, thistle, and shamrock, flanking from a sceptre between three crowns, encircled by the motto. The civil K.C.B. wear the same badge of a smaller size. The civil K.C.B. wear the same badge of a smaller size, around the neck, by a red ribbon; and the civil C.B. the same, but of a still smaller size, from the buttonhole, pendent from a red ribbon. The star of the K.C.B. is in the form of a cross-patee of silver, having the same centre as the grand crosses, but without a gold Maltese cross thereon. The star of the civil K.C.B. is of the same form and size, only omitting the laurel wreath and the *Ich dien*. The officers of the order are the dean, the cosmologists and other counsellors herald, the *Pen*, the *Chaplain*, the registrar and secretary, the gentleman usher of the scarlet rod and Brunswick herald, and the messenger.

BATH ADMINISTRATION, or the "short-lived administration," was formed on the 10th of February, 1745, by William Pole, Earl of Bath, but lasted only two days.

BATH-KOL, *bath-kol* (Heb., daughter of the voice), the name given to a species of oracle employed by the Jews, and frequently mentioned in the Talmud. After the death of Malachi, the spirit of prophecy ceased among the Jews; and they then had recourse to another kind of revelation, called the daughter of the voice, because it succeeded the oracular prophecy. It was, in fact, a method of divination. When the Jews appealed to Bath-Kol, they believed they were made aware of a secret voice speaking to their hearts; and, in some instances, the first words heard from any person's mouth after the appeal, were regarded as a heavenly direction.

BATTA, *bat-ta*, an allowance made to officers of the British Army on service in India, in addition to their regular pay. Full batta is allowed to officers, whether in garrison, field, or cantonment, provided they are stationed beyond 200 miles' distance from the seat of government; if within that distance, only half batta is allowed.

BATTALION, *bat-tal-yon* (Fr., *bataillon*), is a division of the infantry in an army, commanded by a colonel. Two or more battalions (frequently only one) constitute a regiment; two or more regiments, a brigade; two or more brigades a division; two or more divisions, a corps d'armée; and two or more corps d'armée, a grand army. A division corresponding to a battalion exists in most of the armies of Europe. The object in a battalion is not to make it too small, and yet not to make it larger than that all the men of it can hear the voice of the commander. The number is usually from 600 to 1,000 men. The regiment of Grenadier Guards consists of three battalions; the Coldstream and Scots Guards of two each; the regiments of the line, or territorial regiments, have from two to four battalions.

BATTERY, *bat-te-re* (Fr., *batterie*), in Military language, a number of pieces of ordnance mounted upon a platform behind an elevation of earth. A battery of this sort is principally used in order to defend or retain a position. There are, however, many kinds of batteries, distinguished by names, referring either to their position or the duties which they are required to perform. In gun and howitzer batteries there are embrasures through which the firing takes place; but mortar-batteries have no openings.

Floating Battery, a hulk heavily armed, and made as invulnerable as possible, used in defending harbours, or in attacks on marine fortresses. The first use of such batteries was at the siege of Gibraltar, 1779-82. Steam floating batteries of iron were employed by the French and English in the Crimean war. On account of their clumsiness and the difficulty of navigating them, floating batteries are now employed only on harbour defences, and that not commonly.

Battery of Artillery, in the Army, is the term applied to the largest number of fully equipped pieces of ordnance that can be personally superintended by one officer. It is described, in military language, as "the tactical unit of artillery." In the British Army, a battery usually consists of six pieces of ordnance. There are *horse, field, position, and mountain* batteries. The last-named usually consists of light guns, mounted on the backs of mules, and are only adapted for warfare in mountainous countries, where heavy guns would be unavailable on account of the difficulty of transport. The term *battery* is also applied to the men engaged in serving a battery of guns, either as gunners or drivers.

Battery, in Law. (See ASSAULT.)

Battery, Electrical and Galvanic. (See ELECTRICITY and GALVANISM.)

BATTLE, *bat'-tel*, an engagement between two armies, as distinguished from skirmishes or minor encounters. It is *general*, when the whole or greater part of each army is brought into operation, and *partial*, when only brigades or divisions are engaged. It is the aim of a general to bring about an engagement at the precise time when the issue will have the effect of terminating the whole contest, or at least of making important progress in that direction. *Order of battle* is the particular manner in which the troops are brought into action.

Battle-piece, *bat'-tel-piece*, a picture which represents a battle, exhibiting large masses of men in action.

BAXTERIANS, *bax-té-ri-ans*, those who adopted the peculiar theological tenets of Richard Baxter. His system was liberal and conciliatory. He attempted to unite the different sects and parties in the Church by moderate and conciliatory measures. By striking into a middle path between Calvinism and Arminianism, he endeavored to reconcile both creeds. He held with Calvin that the merits of Christ's death are to be applied to believers only; but he also asserted that all men are in a state capable of salvation; that the doctrine of reprobation is unscriptural; and that it is possible even for saints to fall away from saving grace.

BAZIGARS, *baz'-i-gars*, the general name given to a wandering people of Hindostan, found in all parts of the peninsula, and who present many features analogous to the Gipsies scattered throughout Europe. They are known in different parts of India as Danzigars, Panchpuri, Kunjra, and Nats. They are divided into seven castes. They have a chief, or king, and a peculiar language. The Bazigars are the most civilized, and many profess Mahometanism. They are strong and handsome, are acrobats and dancers, showmen and jugglers, and herb doctors, and sell trinkets and mats. Some profess to be Mahometan fakirs, but they all shun alliance with the Hindoos. Their habits are very profligate, and most die young.

BAZOCHE, or **BASOCHE**, *ba-zôch*, a French term, the exact etymology of which is rather doubtful, but most agree in considering it a burlesque translation of the Latin word *basilica*, a royal palace. When justice was administered in the royal palace of the French kings, the judges, advocates, procurators, and others who were connected with this department, were termed *clercs de la bazoché*. Afterwards, when the administration of justice became a separate department, a distinction was made between those noblemen who formed the royal train, and were called *courtiers*, and those connected with the court of justice, who were called *clercs de la bazoché*, or *Basochiens*. But as the term *bazoché* implied the having a king, a mock one was appointed, who had his officers of state, court, and other paraphernalia of royalty. In the beginning of the 14th century, Philippe le Bel conferred on this community certain important privileges. Henry III. suppressed the title of king, and transferred the rights and privileges attached to that office on the chancellor. Still the *bazoché* continued to exist as a body, and retained its pomp and its forms. It met twice a week, and heard and decided all processes and debates that arose among the clerks. At public festivals the Basochiens took a prominent place; and at the carnival they united themselves to the priors of

fools, and took part in the acting of low farces and mysteries. In their turn they acted a kind of satirical morality, in which they took great liberties in railing at the vices of the age, and in insulting the favorites of fortune. Louis XII. patronized these performances, and gave the brotherhood permission to perform plays in the royal palaces. But the Basochiens became at length so offensive that they were interdicted in Paris in 1540, but survived at Bordeaux for several years later. They were the origin of the lively satirical French comedy.

BEACONSFIELD ADMINISTRATION. (See DISABLING ADMINISTRATION.)

BEADLE, or **BEDEL**, *bee'-diel* (Sax., *byrdell*, a messenger; Fr., *bedeau*; Span., *bedel*). Junius derives it from *bidd*, *beddan*, to bid, to tell, to order; because he proclaims and exercises the will of his superiors. In this sense, bishops, in some ancient MSS. in the Saxon tongue, are called *bedels of God* (*Dei bedells*). The term beadle, as now commonly accepted, is an officer chosen by the vestry of a parish, and whose business it is to attend to the vestry, to give notice of its meetings to the parishioners, and execute its orders. The Church beadle was formerly a kind of vergers, whose station, in the 13th century, was at the door of the church. The name has since been changed, and he is now called a summoner or apparitor. In the Universities, the bedel is an officer who walks before the masters at all public processions, &c., with a mace.

BEADS, *beds* (Ang.-Sax., *bede*, prayer), among Roman Catholics, are small balls of glass, ivory, or other substance, strung upon a thread, and used to count the number of prayers repeated. The beads are distinguished by their size and shape; the larger ones being for *Fater-Nosters*, the smaller for *Ave-Marias*. (See ROSARY.) A *beadsman*, or *bedesman*, is a prayer-man, one who prays for another—the name being also applied to a professional beggar, who promised to say a certain number of prayers on behalf of the donor of alms; and a *bidding of the beads* is a charge given by a priest to his parishioners, at certain times, to say so many *Fater-Nosters* upon their heads for a soul departed.

BEANS, *denes*, Black and White, were used by the Greeks to record the votes for magistrates.

BEAST, *beest* (Lat., *bestia*), a term applied to animals inferior to man. In Biblical language, the word when used in contradistinction to man denotes a brute creature generally; when in contradistinction to birds ("fowls of the air") and creeping things, it has reference to four-footed animals. The word "beast," used in the Book of Revelations (iv. 5, 6), is more correctly rendered in the Revised Version, "living creature," the phrase employed in the translation of the prophecies of Ezekiel (i. and x.), in the Old Testament.

BEATING AND WOUNDING, a law term for the offence of inflicting on another some dangerous hurt or wound. (See ASSAULT.)

BEATING THE BOUNDS. On Ascension Day (Holy Thursday), it is an old custom throughout England for the clergymen of the parish, accompanied by the churchwardens, to survey the old landmarks which show the boundaries of the parish. (See ASCENSION DAY.)

In this perambulation they are accompanied by the boys of the parish school and their master. The boys carry willow wands, with which they strike the various boundary marks. From this practice arises the term "beating the bounds." It was the custom in earlier times to whip a boy or boys at stated places on the boundary line, in order that the remembrance of the place might not pass away when he grew up; and even in later times, a jocular "bumping" of a churchwarden, or even curate, is occasionally indulged in by high-spirited, if not very refined parishioners. So recently as 1880, the bumping of a curate in a Middlesex parish led to legal proceedings.

BEATIFICATION, *be-at-i-fi-kai'-shon* (Lat., *beatus*, happy, and *facio*, I make), in the Roman Catholic church, is an act by which the Pope declares a person beatified or blessed after death. Beatification differs from canonization, in that, in the former case, the Pope only grants a privilege to certain persons to pay religious worship to the beatified, without determining judicially upon his state; in the latter case, the Pope speaks as a judge, and determines *ex cathedra* upon the state of the person canonized.

BEATITUDE, *be-at-i-tude* (Lat., *beatitudo*, blessedness), denotes the highest kind of felicity or happiness of which human nature is susceptible—that state in which the soul attains the utmost excellence and dignity of which it is capable—the fruition of God in a future life. The *Beatitudes* is a term applied to the opening sentences of Christ's Sermon on the Mount, from the blessedness that he there pronounces upon certain characters of persons.

BED OF JUSTICE (Fr., *lit de justice*) is, literally, the seat or throne occupied by the French monarch when he attended the deliberations of Parliament. Historically, it denotes a solemn proceeding resorted to by the monarch, in order to carry some measure against the will of the Parliament. If any royal decree was opposed by the Parliament, and the king insisted upon carrying it, he proceeded to hold a *lit de justice*, i.e., he went to Parliament in person, attended by the chief officers of his court, and there, mounting the throne (*lit*), caused the decrees to be registered in his presence; and decrees so registered were considered of greater authority than decisions of Parliament. The last bed of justice was held by Louis XVI. at Versailles, Sept. 20th, 1787, at the commencement of the French revolution, in order to enforce upon Parliament the adoption of certain obnoxious taxes.

BEDCHAMBER, LORDS (OR LADIES)

OF THE, in the reign of a king, lords of the bedchamber are officers of the royal household under the groom of the stole. They are usually twelve in number, and wait a week each in turn upon the sovereign. The groom of the stole only attends his majesty on state occasions. There are, also, thirteen grooms of the bedchamber, who likewise wait in turn. The salary of the groom of the stole is £2,000; of the lords of the bedchamber, £2,000, and of the groom, £500 a year. During the reign of a queen, all these offices are held by ladies; the mistress of the robes corresponds to the groom of the stole, and women of the bedchamber to groom of the bedchamber. The appointments are in the royal nomination. In 1839, Sir Robert Peel, on forming a new ministry, made the unusual request to be

permitted to change the ladies of the bedchamber, a request which he said circumstances justified. This being declined, he resigned his premiership. (See PEELE ADMINISTRATION.)

BED-HOUSE, *bed'-house* (Sax., *bede*, a prayer), was a name given to an hospital or almshouse, from the poor people who enjoyed the benefit of them being expected to pray for their benefactors. Hence, a *bede-man* was one who lived in a *bede-house*, or was supported by the funds appropriated for that purpose.

BEDLAM, *bed'-lam*, a corruption of Bethlehem, the name of a religious house founded in Bishopsgate Street, Without, by Simon Fitz-Mary, one of the sheriffs of London, in 1246. After the dissolution of the religious houses by Henry VIII., the convent was converted into an hospital for lunatics, but still retained its former name. In 1675 the old building was taken down, and a new one erected in Moorfields, at the cost of nearly £17,000. In 1814, this second hospital was taken down, and the patients transferred to a new and more commodious building, erected in St. George's Fields, and in 1838 a new wing was added. The whole buildings now cover an area of 14 acres. Over the entrance of the old buildings in Moorfields were large figures representing Madness and Idiocy, carved by the elder Cibber, a sculptor of repute. They are now in the South Kensington Museum. When Pope attacked Colley Cibber, in the "Dunciad," he referred to those figures as "Cibber's brainless, brazen brothers."

Bedlam Beggars.—In the earlier history of the hospital, the funds were very small, and many of the patients only partially cured were sent out with badges of tin on their arms, with an inscription explaining their state. These wretched beings went about seeking charity, and were called *Bedlam-beggars*, or *Tom-o'-Bedlams*. In *King Lear*, Edgar, as poor Tom, simulates before the blind monarch that he is a *Bedlam beggar*. They were put a stop to in 1675, when an order appeared in the *London Gazette*, cautioning the public not to give alms to persons pretending to be *Bedlam beggars*.

BEDQUINS, OR BEDOWEENS, *bed'-o-vins* (Arab., *bedawi*, inhabitants of the desert), a numerous Mahometan race which dwells in the deserts of Arabia, Egypt, and Northern Africa. It is still doubtful whether they belong to the same race as the Arabs or differ from them in their descent, as they do in their manner of living. The Bedouins live at a distance from cities and villages, in families under sheiks, or in tribes under emirs. Their marabouts are a kind of priests, who exercise great influence. (See MARABOUT.) In Barbary, Syria, and Mesopotamia, the Bedouins are less migratory and predatory than in Africa, many of them cultivating land and dwelling in houses. Their dwellings are huts, tents, ruins, and caverns. With their herds and their beasts of burden, which carry what little property they possess, they wander in search of fresh water and pasture. They are good horsemen, and generally fond of hunting. The peaceful tribes exchange horses and fat cattle for arms and cloth with neighbouring nations. Other hordes are open robbers; and it is dangerous to travel through their country without a guard or a passport, which the different chiefs sell. Terrible encounters have been the consequence of travellers refusing to part with their property without resistance. Notwithstanding this, even the predatory Bedouins hold the rights of hospitality sacred; and the most defenceless enemy

is sure of their protection if they have once allowed him shelter. But the Bedouin considers every one his enemy who is not his brother, kinsman, or ally. Ever careful of his own safety, he attacks no camp or caravan without being sure of his superiority. The rapacious Bedouin lives in a state of continual watchfulness—poor, ignorant, wild, rude, but free and proud of his liberty. He is remarkable for a temperance in food amounting almost to abstinence. About the 7th century, the Bedouins overran the northern parts of Africa, and are now found in all the regions between Sahara and the Mediterranean.

BEES, LAWS RELATING TO. Bees are regarded as the property of the person on whose ground or soil they have swarmed. The qualified property which may be thus held in bees continues while the swarm remains on the soil, and, in the event of flight, so long as the owner can pursue it. Indeed, so clearly are they considered, in law, of the nature of property, that it has been decided in England that bees may be the subject of larceny. According to Scotch law, as propounded by Mr Erskine, bees which abandon their hive without being observed and followed, are understood to have recovered their original liberty: any one, in such a case, may live and claim them.

BEELZEBUB, be-el'-ze-hub (the god of flies), one of the names given to the Syro-Phœnician god Baal. In the Septuagint version of the Old Testament, the name is spelled Beelzebul, giving to the name the more ignominious meaning of the god of dung. As the Jews regarded all the gods of the heathen as demons, the name Beelzebub became in course of time commonly applied to the chief of evil spirits: and in the Gospels it is recorded that the Pharisees charged Jesus with casting out devils by the aid of "Beelzebub the prince of the devils."

BEFANA, OR BEFFANA, be-fa'-na, a corruption of *Epiphania* (Epiphany), is the name of a custom which prevails in Florence and other parts of Italy on Twelfth-night. Befana is said to have been an old woman, who, when the wise men of the East passed by, was busy in cleaning her house, and excused herself from going out to see them, on the ground that she would see them on their return. They, however, went home another way, and she is said to be still on the outlook for them. She is supposed to take great interest in children, and to put presents into their stockings on Twelfth-night. Formerly she was carried in effigy through the streets, amid great shoutings and rejoicings. It is generally supposed to be a remnant of some Middle Age mystery ceremony. The word is also used as a bear to frighten children.

BEG, OR BEY, bas, is a Turkish title, signifying lord or chief, and is applied generally to governors of smaller districts, higher military officers, and other persons of rank.

BEGGAR, beg-gar, is one who solicits charity. During the early and middle ages of our era, mendicancy prevailed to a great extent, and several religious orders sprang up who derived their subsistence in this way. In the twenty-third year of Edward III. (1349), it was enacted, "That, because many valiant beggars, as long as they may live of begging, do refuse to labour, giving themselves to idleness and vice, and sometimes to theft and other abominations, none, upon

pain of imprisonment, shall, under the colour of pity or alms, give anything to such as may labour, or presume to favour them in their sloth; so that thereby they may be compelled to labour for their necessary living." The statute 27 Henry VIII. c. 12, after stating that "vagabonds and beggars have of long time increased, and daily do increase, in great and excessive numbers," enacts that justices of the peace and other officers shall, within the limits of their authority, grant letters to aged, poor, or impotent persons, authorizing them to beg within a certain prescribed limit; and if any one be found begging beyond his limit, or without such letter of authority, he shall be set in the stocks or whipped. Able-bodied persons, found begging or vagrant, were to be taken to the next market-town, or other place most convenient, and there tied to the end of a cart and beaten with whips throughout the same "till the body be bloody;" and, after such punishment, "he shall be enjoined, upon his oath, to return forthwith the next straight way to the place where he was born, or where he last dwelled the space of three years, and there put himself to labour like as a true man oweth to do." Five years later another act was passed, providing that mayors, bailiffs, and other head officers of cities, towns, and parishes, shall most charitably receive and provide for such poor persons or sturdy vagabonds as shall come into their districts, and shall succour, relieve, and keep the said poor people by way of voluntary charitable alms in such wise as none of them shall of necessity be compelled to wander and go openly in begging; and also shall cause the said sturdy vagabonds and valiant beggars to be set and kept to continual labour in such wise as they may get their own living with the continual labour of their own hands. For absenting themselves from such labour, they were not only to be again whipped, but to have "the upper part of the girdle of the ear clean cut off;" and such an one afterwards apprehended wandering in idleness to be indicted and tried at the next quarter sessions; and, if found guilty, shall be adjudged to suffer death as a felon. It further provides, that children about five and under fourteen years of age were to be taught some craft by which they might get their livings when they came of age. Notwithstanding these severe enactments, the number of idle beggars and vagabonds seems to have increased; and 1 and 2 Edward VI. c. 3, after repealing all previous enactments, declares that every loitering and idle wanderer who shall refuse to apply himself to honest labour is to be taken as a vagabond; and if he continue idle, and refuse to labour, or run away from work set him to perform, he is to be branded with the letter V, and be adjudged a slave for two years to any person who shall demand him, to be fed on bread and water and refuse meat, and caused to work in such labour, how vile however it be, as he shall be put to, by beating, chaining, or otherwise. If he run away within the two years, he is to be branded in the cheek with the letter S, and adjudged a slave for life; and if he run away again, he is to suffer death as a felon. Provisions were made by this statute for impotent beggars and children, similar to those under 27 Henry VIII. The number of vagrants, however, seems still to have increased; and Strype relates, that letters having been issued by the privy council to the sheriffs of the different counties to search for and apprehend "all vagabonds and sturdy beggars commonly called rogues or Egyptians," 13,000

"masterless men" were taken up. During the reign of Elizabeth various attempts were made to ameliorate the condition of the poor and suppress vagrancy; and various statutes were passed on the subject. The present law of England relating to beggars is regulated by the 5 Geo. IV. c. 83, which enacts that beggars in any public place, or persons inciting children to beg, shall be liable to imprisonment for any period not exceeding one month; and beggars repeating the offence shall be deemed rogues and vagabonds, and liable to be imprisoned for three months with hard labour. The existing Scotch law against beggars was enacted in 1698.

BEGHARDS, *bej'-hards*, a name applied to a certain class of half-monks who followed the third rule of St. Francis. By some the name is derived from St. Begga, by others from the old German verb *begehen* (now *begehen*), to beg, and *hardt* or *hart*, hard, with importunity. They arose in Germany at the end of the 14th century, whence they spread into the Netherlands, France, and Italy, where they were known as *Bicochi* and *Beccosoli*. As they belonged to no monastic order, they were regarded as laymen; and, from their irregular mode of life, they were looked upon with disfavour, and subjected to persecution. It formed a kind of refuge for heretics and persons of loose character, so that it came to comprise a number of sects or bodies who differed widely from each other in their opinions, discipline, and mode of life—some given to prayer, others to profligacy. At length the Beghards were compelled by a Papal bull to disperse, or to join the orders of the Dominicans or Franciscans. In the Netherlands, where they preserved a better character, they continued to subsist longer; but there they disappeared about the end of the 14th century.

BEGLERBEG, *bat'-ler-bai*, is a Turkish title literally signifying prince of princes, or lord of lords, and is applied to the governors-general of provinces who are next in rank to the vizier, and have under them several begs, agas, &c.

BEGTASHI, *beg-ta'-she*, a secret order in the Ottoman empire. It originated in the 16th century, and bears in some respects a resemblance to free-masonry, secret signs and passwords being used.

BEGUINS, *beg'-u-ins*, a class of women who, without taking any vows or following the rules of any order, united themselves together for devotional or charitable purposes. They appeared in Germany and the Netherlands as early as the 12th century, and are said to have taken their name from St. Begga. They lived generally in small separate cottages, under the direction of a superior, and were distinguished from the rest of the laity only by their industry, piety, and secluded habits, and their great attention to the education of the young. They continued to exist in Germany to the time of the Reformation, and in the Netherlands down to the close of the 18th century. There are still to be met with in some parts of Holland, Belgium, and Germany, what are called *Bewoeningsters*; but these are little more than associations for poor spinners. The most famous is at Ghent, which is said to comprise 600 inmates who devote themselves to attendance on the sick and the education of young females. There are smaller begin-houses at Antwerp, Mechlin, and Burgas.

BEHEADING, *be-head'-ing*, striking off the heads of persons condemned to death. It was introduced into England by William the Conqueror, and until comparatively recent times, the headsman, or executioner, has figured prominently in our history. In France, heads are still struck off by the guillotine. (See *GUILLOTINE*.)

BEHEMOTH, *be'-he-moth*, an animal of great strength, described in Job xl. 15—24, but nowhere else mentioned in Scripture. Commentators are very much divided as to what animal is meant. By some it is understood to be the elephant, by others the hippopotamus; the general opinion seems to be in favour of the latter.

BEHMENTITES, *be(r)-me-nites*, a religious sect which flourished in Germany and other parts of Europe in the 17th century. They took their name from Jacob Behmen, Boehme, or Boehm, a celebrated German mystic or theosophist. (See *BIOGRAPHICAL DIVISION*.) It was no part of Behmen's intention to found a sect. His object was merely to exhort Christians to true and pure life, and to instruct them in the mysteries of the true faith. He himself lived and died a genuine Protestant, a member of the Lutheran church. Richard Baxter describes the Behmenites as men of greater meekness and more self-control than any of the other sectaries. Though Behmen has still many admirers in the present day, especially in Germany, the Behmentites, as a religious sect, may be said to be extinct.

BEING, *bee'-ing*, is a term used in philosophy to denote whatever has a being or existence, either actually in the outer world, or ideally in the mind itself. Not only have the fictions of our mind a being, but even, according to some philosophers, *nothing* can be said to have a being.

BEIRAM. (See *BAIRAM*.)

"BEL AND THE DRAGON," the name of an apocryphal and uncanonical book of Scripture. It was always rejected by the Jewish church, and is extant neither in the Hebrew nor Chaldee language, nor is there any proof that it ever was so: hence St. Jerome terms it "the fable of Bel and the Dragon." It is read "for edification" in the Roman Catholic church on Ash-Wednesday.

BELIEF, *be-leef*, is that state of mind in which one acquiesces in some truth, real or supposed. No doubt, every man in the world who believes in anything, even the most superstitious idea that ever found credence, does so because he has some kind of a vague perception that the object of his belief is real and true. But the act of belief itself has puzzled the wise throughout all ages exactly to describe its character. One man alleges the act is *intellectual*, another says it is *moral*, a third affirms that it is *emotional*, and a fourth, who is likely as near the truth as any of the previous three, avers that it bears all those various characters, at different times, and when applied to different subjects. Now it is intellectual, now it is moral, anon it is emotional and it is as easy to describe it as it is to give a definition of instinct or of intuition. The reason of this apparent obscurity in the meaning of this word, is because men have no more general term that they are accustomed to apply to the same object. It is, accordingly, impossible to *get beyond belief*, so as intelligibly to describe its character. It is *empirically* the light of all our

seeing." There are, properly, four sources from which the sound beliefs of men are made up:—1st, there is intuition or instinct; and, there is our ordinary experience; 3rd, there are our scientific convictions, derived from the exercise of the two sources of knowledge, deduction and induction; 4th, there is testimony. These constitute the sources of our real convictions; but feeling and imagination have a great share in giving rise to illusory notions and superstitious beliefs in the minds of men. Man is responsible for every belief, real or illusory, which he maintains, provided, always, it was possible for him to discipline himself properly in the various kinds of knowledge in which he exercises his beliefs. This arises from the fact that we have all power over our minds in directing them to one object or another of study; and if this act, which is admitted on all hands to be voluntary, be really so, for every voluntary act we commit, either directly or indirectly, we are entirely responsible. Belief is no doubt indirect in its connection with the conscience, but it is not, therefore, wholly irresponsible. Lord Brougham broached the irresponsible view of belief some years ago, in an inaugural address as lord rector of the Glasgow University, since which time it has been much discussed.

BELIEVERS, *be-led-vers*, an appellation first given to the disciples of Christ, but, towards the close of the 1st century, applied to those Christians that had been admitted into the Church by baptism, in contradistinction to catechumens who had not been baptized, and, consequently, were not entitled to church privileges. At present, the word is commonly used as synonymous with Christians.

BELL, BOOK, AND CANDLE. (See EXCOMMUNICATION.)

BELLIGERENT, *bel-lij'-e-rent* (Lat., *bellum*, war, and *gerere*, to carry on), is a term applied to nations waging or carrying on war against each other.

BELOMANCY, *be-lo-mah'-se* (Gr., *belos*, an arrow, and *manteia*, prophecy), denotes a species of divination by means of arrows, common among the Arabs and other eastern nations. It is practised in various ways; but the most common is to shoot off a number of arrows with inscriptions attached to them, and to be guided by the inscription upon the arrow which is first found.

BELTEIN, BELTANE, OR REALTINE, *bel'-tain*, the name of a great heathen festival, once common to all the Celtic nations, and traces of which still exist in some parts of Scotland and Ireland. The name is derived from *tine*, fire, and *Bell*, or *Bel*, the sun, or god of light; and in the Irish language the month of May is still called *Beltaine*. The festival was held on the 1st of May: large fires were kindled on the summits of the highest hills, and cattle were driven between them—it is said, to protect them from contagious disorders; but doubtless they were originally sacrificed. All the inhabitants of the district quenched their fires on that day, and rekindled them from these fires. A similar festival seems also to have been held on the 1st of November. In the Highlands of Scotland, as late as the beginning of the present century, it was a custom for young people to meet on the 1st of May and kindle a fire. An old rhyme was

out into small pieces, one of them being blackened. These fragments were shaken up in a bonnet and drawn for. The person who got the black bit was sacrificed to *Baal*—that is, he must leap three times over the flames. (See MAYDAY.)

BENCH, *bench*, in Law. (See BANC.)

BENCH WARRANT, a warrant signed by a superior judge, or two justices of the peace, to apprehend a defendant against whom a bill of indictment has been found at assizes or sessions.

BENCHERS, *bench'-ers* in the Inns of Court, are the senior members of the society of each house or inn, generally barristers of distinction, to whom the government of its affairs is committed; and out of the number one is annually chosen as treasurer. The sole power of calling students to the bar, by which they become barristers, and of disbarring them, and thereby depriving them of their qualification, for misconduct, is vested in them, subject to an appeal to the judges as visitors of the Inn. There are four in number—viz., the Inner Temple, the Middle Temple, Lincoln's Inn, and Gray's Inn.

BENEDICTITE, *ben'-e-dit'-i-te* (Lat.), the name given to the hymn or song of the Three Children in the fiery furnace, from the Latin version of it, beginning *Benedicite omnia opera Domini*. The singing of the Benedictite in the Christian churches is very ancient, for it appears to have been in universal use as early as the time of Christendom. In the English church, the Benedictite was, by Edward VI.'s First Book, prescribed to be used during Lent; but, by the present Prayer-book, it may be said or sung at the morning service, instead of the *Te Deum*, whenever the minister thinks fit.

BENEDICTINES, *ben'-e-dik'-tins*, an order of monks taking their name from their founder, St. Benedict, who flourished in Italy in the early part of the 6th century. The first monastery was at Cassino, near Naples. They spread very rapidly, and for the next three centuries, almost all the monks in the West might be said to be Benedictines. At first they had no distinctive dress, but afterwards they wore black; whence they came to be called also Black friars. The decline of monastic discipline led to the reforms of Benedict of Aniana in the 8th century, and of the abbot of Clugny in the beginning of the 10th. The Cluniacs, in place of the discordant and uncertain rules that had hitherto existed, made fixed regulations concerning the hours of worship, the obedience, discipline, and government of their monasteries, which were soon imitated throughout Europe. The rules of St. Benedict, as observed by the English monks previous to the Reformation, were as follows: they were obliged to perform their devotions seven times in twenty-four hours, and always to go two and two together; every day during Lent they were obliged to fast until six in the evening, and to diminish their usual time of sleeping and eating; but they were not allowed to practise any voluntary austerity without the consent of their superior; they never conversed in their refectory at meals, but were obliged to attend to the reading of the Scriptures; for small faults they were shut out from meals; for greater, they were debarred religious commerce and excluded from the chapel; while incorrigible offenders were expelled from the monastery. About 1354, it was found that since its rise this order could boast of

24 popes, nearly 200 cardinals, 7,000 archbishops, 15,000 bishops, 15,000 abbots of renown, above 4,000 saints, and upwards of 37,000 monasteries; besides 20 emperors, 10 empresses, 47 kings, above 50 queens, 20 sons of emperors, 48 sons of kings, about 100 princes. In the 15th century, this order had 15,707 monasteries, of which, after the Reformation, only about 5,000 were left, and at present there are only about 800. This order has produced a great number of learned men, for one of the duties imposed on the monks was that of copying manuscripts, and so enriching the college libraries; and most important services to literature have been rendered by members of the order, which did much in the way of fostering and spreading Christianity, civilization, and learning in the Middle Ages.

BENEDICTION, *ben'-e-dik'-shon* (Lat., *benedico*, I speak well), is the invoking of the divine blessing upon individuals; sometimes, also, upon animals and things. The ceremony of blessing is of very remote antiquity, for we read of the Jewish patriarchs, before they died, invoking the blessing of God upon their children. At a later period, the priests were commanded to bless the people; and Christ himself sanctioned the custom, in that, before parting from his disciples after his resurrection, "he lifted up his hands and blessed them." In the ritual of the Roman Catholic church the benediction, in different forms and words, occupies an important place; and it constitutes an essential part of many of its ceremonies. One of the most imposing of these is when the Pope, on Easter Sunday, after mass, in full pontificals, and attended by the cardinals and prelates, pronounces his benediction *urbi et orbi* (on the city and the world), from the great gallery in front of St. Peter's church, before many thousands of kneeling spectators. In the liturgy of the Church of England there are but two benedictions, and in the Church of Scotland only one, pronounced at the end of the service. In the Greek Church the benediction by the priest is accompanied by a peculiar gesture of the fingers, supposed to symbolize the doctrine of the Trinity and the twofold nature of Christ.

BENEDICTUS, *ben'-e-dik'-tus* (Lat., *bles-sed*), the name of one of the hymns ordered to be said or sung after the second lesson in the morning service of the Church of England. It is so called from its beginning with that word in the Latin version. It consists of a portion of the first chapter of St. Luke's Gospel.

BENEFICE, *ben'-e-fis* (Lat., *beneficium*, a good deed, a favour), in authors of the Middle Ages, is used for a fee, sometimes more peculiarly denominated *beneficium militare*. In this sense, benefice was an estate in land, at first granted for life only; so called because held *ex mero beneficio* of the donor; and the tenants were bound to swear fealty to the lord, and to serve him in his wars. In after times, as these tenures became perpetual and hereditary, they left their name of benefice to the livings of the clergy, and retained to themselves the name of fiefs. Benefice, in an ecclesiastical sense, is a church endowed with a revenue for the performance of divine service, or the revenue itself assigned to an ecclesiastical person, by way of reward for the service he is to do to that church. A benefice does not, by the canon law, always imply a cure of souls. Until the 4th century, the revenues of the Church con-

sisted principally in alms and voluntary contributions, and were distributed under the directions of the bishop; but when the Church came to possess lands, part thereof were assigned for the subsistence of the clerks, and called benefices, of which we find some traces in the 5th and 6th centuries. But it does not appear that the allotments were positively defined till about the 12th. At first each was contented with a single benefice; but pluralities were by degrees introduced, on a plea that in some places a single benefice was not thought a competency. By Acts of Parliament passed in the present reign, a distinction is made between benefices and cathedral preferments—by the former, being meant all parochial or district churches and endowed chapels and chapelries, with the cure of souls; and by the latter, deaneries, archdeaconries, and canonries, and generally all dignities and offices in any cathedral or collegiate church below the rank of a bishop.

Avoidance of Benefices.—A benefice can only be legally avoided or vacated from six causes:—1, by death; 2, by resignation, if the bishop is willing to accept the resignation; 3, by the acceptance of another benefice or some preferment incompatible with the holding it; 4, by deprivation and sentence of an ecclesiastical court; 5, by an act of laws in consequence of simony; 6, by default of the holder of the benefice in neglecting to read publicly in the church the Thirty-nine Articles, and declare his assent thereto.

BENEFICIARY, *ben'-e-fish'-a-ry*, is applied to the holder of a benefice. In a more general sense, it denotes one who receives a benefit, or one who enjoys an interest in any funds or estate held in trust by another. Patent rights and copyrights are denominated beneficiary privileges.

BENEFIT OF CLERGY, *ben'-e-fit*, originally denoted the privilege or exemption which was possessed by the clergy from secular jurisdiction. In early times, clergymen were in certain cases exempt from punishment by secular judges, and could claim their *privilegium clericale*. This privilege, however, did not extend to high treason. Afterwards, the ability to read, as being at that time almost solely confined to the clergy, came to be the test of one's being entitled to the benefit of clergy. In 1488, when reading had become a less rare accomplishment, a distinction was made between the clergy and those who were merely able to read; so that one of the latter class, after having once been admitted to the benefit of clergy, was not allowed to claim the privilege a second time, unless he produced his orders; and those who had once claimed the privilege were burned on the hand, in order to mark them. The formality of reading was done away with by 5 Anne, c. 6, which enacted that the benefit of clergy should be extended to all who are entitled to it, without requiring them to read, and, instead of burning the hand, the judge had power to inflict a fine or sentence to imprisonment. Benefit of clergy had previously been adopted as a term to express freedom from capital punishment for a felony. It was not till 7 and 8 Geo. IV. c. 28, that the benefit of clergy was entirely abolished.

BENEFIT SOCIETIES. (See FRIENDLY SOCIETIES.)

BENEVOLENCE, *ben'-e-volens* (Lat., *beneficentia*, from *bene*, well, and *volens*, wishing), denotes an earnest desire for the good of mankind, manifesting itself, as ability and opportunity may offer, in acts of kindness and charity towards all. Some philosophers attribute this affection to self-love, because it is not agreeable to witness

on hear of distress, and for our own sakes, therefore, we desire to alleviate it; others, with far greater reason, to an instinct inherent in our nature. "Benevolence," was a means of raising money formerly resorted to by the kings of England, in violation of the Magna Charta. As the name implies, it was nominally a gratuity; but in reality it was a forced loan, exacted with or without the condition of repayment. Edward IV. had frequent recourse to this means of raising money; but by a statute of his successor, Richard III., it was declared to be illegal. Benevolences were, however, exacted by Henry VII., and occasionally, by means of circulars under the privy seal, by his successors. In 1615, Oliver St. John, a member of Parliament, was fined £5,000, and Chief Justice Coke disgraced, for severely censuring such modes of raising money. The Bill of Rights, in Feb., 1689, declares that the levying of money for or to the use of the Crown, by pretence of prerogative, without grant of Parliament, is illegal.

BENI-ISRAEL, *be-ni* (Sons of Israel), a people numbering about 6,000, in the west of India, dwelling on the coast districts near Bombay, who preserve a tradition of Jewish descent, and acknowledge the law of Moses, although in practice not free from the idolatry of the Hindoos. They think they are the descendants of seven men and seven women who came from the north 7,000 years ago. They have the Jewish cast of countenance, but object to be called Jews, considering it as a term of reproach, and have a very slight knowledge of the Hebrew Scriptures, their meeting-places or synagogues possessing no manuscripts. They form communities governed by one of their own number, styled a *mukadam*, and their religious ceremonies are presided over by a *Kazi*, who performs circumcision and other rites.

BENISH DAYS, *be-nish*, among the Egyptians, is a term applied to three days of the week (Monday, Wednesday, and Saturday), from their being days of less ceremony in religion than the other four. They are named from the *benish*, a garment of common, not of ceremonious use.

BENISON. (See **BENEDICTION**.)

BENSHIE, OR **BANSHEE**, *ben-she*, Irish Celtic, *bean*, a woman, *siyhe*, a fairy, a supernatural being, prominent in the superstitions of the more uneducated Irish. It is supposed to appear in the figure of a female, who utters wild shrieks and pathetic wailings when a member of a family in which she is interested is near death. A similar superstition prevails in the Highlands of Scotland.

BENTHAMITE PHILOSOPHY. (See **UTILITARIANISM**.)

BERBERS, *ber-bers* (Lat., *barbari*), the inhabitants of the northern part of the Great Desert and the mountainous districts of Barbary. The whole of these scattered tribes are the descendants of the aboriginal inhabitants of Northern Africa. Their number is calculated to be at the present time nearly four millions. They are of the middle stature; their complexion varies from red to yellowish brown; and they are strongly and compactly made. The head is much more European than African in type. Their eyes and hair are dark, and they are cruel, suspicious, and implacable in their disposition. In ancient times, the Berbers formed the largest part of the population dwelling on the northern coast of Africa;

but upon the great Arabian immigration, in the 11th century, they were driven back to the mountains and desert regions, where they now live. In Algeria they are called Kabyles, and are as yet unconquered by the French. In Morocco they are called Shellooh; and in Tripoli they only pay a nominal allegiance to the Turks. The Berbers who inhabit the desert have become much mixed with the negro race, and are called Tuareg, or Tawarak, by the Arabs. The whole race, at the present day, seem to possess a wild spirit of independence, which prevents them from uniting together or making any decided progress in civilization. They are constantly fighting, either amongst themselves or with their neighbours. Their dwellings are mostly clay huts and tents, but they have some stone houses in their villages. The mines of lead and iron ore in the Atlas mountains are worked by them. They have water-mills and oil-presses, and many of them have large herds and flocks of cattle and sheep. They are also agricultural, and have an especial liking for the rearing of fruit-trees. The Berbers were formerly Christians, but since the Arab invasion they have all become Mahometans.

BERCHTA, *baireh-ta* (Old Ger., *peralta*, lightning, shining; whence the name Bertha), in German mythology, is a spiritual being, probably the same, under a different name, as the Hulda (gracious) of North Germany; but in North Germany Hulda is regarded as a benign spirit; whereas, in South Germany, Berchta is looked upon as a malevolent being, and her name is made use of to frighten disobedient children. Berchta is especially charged with the overlooking of spinners, and it was believed that if, at the end of a year, she found any flax left on the distaff, she destroyed it. Many springs in Germany bear her name.

BEREANS, *be-re-ans*, a sect of dissenters from the Church of Scotland, who take their name from, and profess to follow, the example of the ancient Bereans (who are recorded to have "received the word with all readiness of mind") in building their system of faith and practice upon the Scriptures alone, without any regard to human authority. Their founder was the Rev. John Barclay, at one time a minister of the Church of Scotland, and from whom the members of the sect are sometimes called Barclayans. The Bereans agree with the great body of Christians respecting the doctrine of the Trinity, and with the Calvinists regarding predestination and election. They differ from other sects in rejecting all natural religion; in holding faith to be a simple credence of God's word, and always accompanied with a personal assurance of salvation; in considering unbelief as the sin against the Holy Ghost; and in interpreting almost all the Psalms as typical or prophetic of Jesus Christ, and reckon it a perversion to apply any Psalm to individual spiritual experience. The Bereans were at one time pretty numerous in Scotland, but they are now nearly extinct.

BERENGARIANS, *ber-en-gair-i-ans*, a denomination that arose in the 11th century, and adhered to the opinions of Berengarius, archdeacon of Angers, who opposed the Roman Catholic doctrine of transubstantiation, and asserted that the bread and wine in the Lord's Supper were not really and essentially, but only figuratively, changed into the body and blood of Christ. The Roman Catholics ranked the Berengarians among the most dangerous of heretics.

BERKELEIAN PHILOSOPHY,

ber-ke-le-an, the system of absolute idealism worked out in the metaphysical writings of Bishop Berkeley, or *Wolfe*, chiefly in "The Principles of Human Knowledge," published in Dublin, in 1710, and in "Three Dialogues between Hylas and Philonous," which appeared in 1713. The primary object of these works, as defined by the author, was to show the weakness of the materialism advocated by some writers of the age, by denying, on received principles of philosophy, the reality of an external world—"The object of both pieces is to prove that the commonly received notion of the existence of matter is false; that sensible material objects, as they are called, are not external to the mind, but exist in it, and are nothing more than impressions made upon it by the immediate acts of God, according to certain rules termed laws of nature, from which, in the ordinary course of his government, he never deviates; and that the steady adherence of the Supreme Spirit to these rules is what constitutes the reality of things to his creatures." A modern critical writer paraphrases the theory thus—"The universe is inconceivable apart from mind; existence, as such, denotes conscious spirits and the objects of consciousness. Matter and external things, in so far as they are thought to have an existence beyond the circle of consciousness, are impossible, inconceivable, absurd. . . . Since ideas are not due to our own activity, they do not result from our will; they must, therefore, be produced by some other will—the Divine intelligence. Since experience is thus the constant action upon our minds of supreme active intellect, and is not the consequence of dead, inert matter." The promulgation of such a strange philosophy, of course, aroused an active controversy, contemptuous criticism, and open ridicule. Boswell relates that in a conversation with Johnson, they spoke of "Bishop Berkeley's ingenious sophistry to prove the non-existence of matter, and that everything in the universe is simply ideal. I observed that though we were satisfied his doctrine is not true, it is impossible to refute it. I shall never forget the alacrity with which Johnson answered, striking his fist with mighty force against a large stone till he rebounded from it, 'I refute it thus.'" One of Johnson's few jokes had reference to this subject—"Being in company with a gentleman who thought fit to mention Dr. Berkeley's ingenious philosophy, that nothing exists but as perceived by some mind, when the gentleman was going away, Johnson said to him, 'Pray, sir, don't leave us, for we may, perhaps, forget to think of you, and then you will cease to exist.'" Edmund Burke intended to make an elaborate reply to Berkeley, but his political occupations interfered with the project, and all interested in philosophical dialectics must sympathize with Boswell's exclamation, "What an admirable display of subtlety, united with brilliance, might his contending with Berkeley have afforded us!" A result, probably little expected by the pious Bishop, who had intended to answer effectually the arguments of the materialists and sceptics was that his philosophy was accepted as an encouragement to scepticism, for if nothing was to be believed to exist, surely there was nothing and absurd. Hume said explicitly, "Hume's works form the best lessons of scepticism which are to be found among the ancient or modern philosophers, Bayle

not excepted," Dr. Beattie also pointed out the sceptical tendency of Berkeley's theory, that in fact it sapped the very foundations of rational belief in anything—"If Berkeley's argument be conclusive, it proves that to be false which every man must necessarily believe, every moment of his life, to be true; and that to be true, which no man since the foundation of the world was ever capable of believing for a single moment." It is strange, indeed, that Berkeley himself should not have perceived what a paradox he was maintaining. If nothing exists actually, but the mind only receives impressions direct from the Divine mind, then the Divine and human minds are accepted as actual existences, which, according to his own theory, cannot be philosophically proved. Of course, he never acted as if his theory were true; was quite as convinced of the reality of a stone, if he struck it, as Johnson himself was, of the clothes he wore, or of the dinner he ate. His speculations were an instance of the perilous resemblance which abstract speculations and subtle chains of logical argument may bear to nonsense; and the "common sense," philosophy—that is the acceptance of the ideas and sensations common to all human beings in more or less degree—as defined by Reid, Dugald Stewart, and other later metaphysical writers, has practically replied to and superseded the idealism of Berkeley. Dr. Arbuthnot, as witty as skilful, attended Berkeley in an illness caused by fever, and wrote to Swift—"Poor philosopher Berkeley has now the idea of health, which was very hard to produce in him; for he had an *idea* of a strange fever on him so strong, that it was very hard to destroy it by producing a contrary one." The best guide to Berkeley's philosophical speculations is, perhaps, Professor Fraser's "Life, Letters, and Dissertations on his (Berkeley's) Philosophy," published by the Clarendon Press, Oxford, in 1871.

BERLIN DECREE. The French entered Berlin on the 27th of October, 1806, after the battle of Jena, and the Emperor Napoleon issued from that city the famous interdiction against the commerce of England, declaring the British Islands to be in a state of blockade, and ordering all Englishmen, found in countries occupied by French troops, to be treated as prisoners of war.

Berlin Congress on the Eastern Question. A Congress of representatives (with resident Ambassadors) of Germany, Russia, Turkey, Great Britain, Austria, France, and Italy assembled at Berlin on the 13th of June, 1858, and signed a treaty on the 13th of July, having had twenty sittings. By this treaty, Servia and Roumania were made independent of Turkey; Bulgaria constituted an autonomous principality, tributary to the Sultan, and a new province, Eastern Roumelia, partially autonomous, constituted, and variations of the boundaries of the Turkish empire were made.

Berlin Conference. On the 13th of July, 1880, the representatives of Great Britain, France, and Germany met at Berlin, and agreed to a collective note to be presented to the Sultan of Turkey, urging the cession of Dulcinio to Montenegro, and of certain provinces to Greece.

BERNARDINES, ber-nar-dines. An order of monks named after St. Bernard, a celebrated ecclesiastic friar of the 12th century, by whom the order was reformed, but not founded. Their origin dates from the 12th century, and they differ little from the Cistercians. (See CISTERCIANS.)

BERSAGLIERI, ber-sa-lee-er'-e, the rifle-men or sharpshooters of the Sardinian (now

Italian) army, organized by Victor Emmanuel in 1849. They are light and active troops, wearing a dark green uniform and armed with long rifles.

BERYL, *be'-rel*, a precious stone of beautiful yellowish or blue colour, and transparent. The beryl is frequently mentioned in Scripture. It was one of the gems in the breastplate of the high priest, and is one of the foundations of the New Jerusalem.

BERYLLIANS, *be-ri'll'-li-ans*, a sect of heretics who arose in the 3rd century, and took their name from Beryllus, an Arabian bishop of Bozrah. They held that Christ did not exist before Mary; but that a spirit, issuing from God himself, a portion of the divine nature, was united to him at his birth.

BETHLEHEM HOSPITAL. (See BETHLEHAM.)

BETHLEHEMITES, *beth'-le-mites*, called also Bethlehemite Brothers, and Star-bearers, an order of monks that appeared at Cambridge, in England, about the middle of the 13th century. But little is known respecting them. They were distinguished by a red star having five rays, which they wore on their breast, in memory of the star which appeared to the wise men of the East. Another order of the same name was founded on the island of Tenerife, and they were also to be found in the Spanish West Indies. The followers of Jerome Huss were sometimes known as Bethlehemites, from Bethlehem church, in Prague, where their leader preached.

BETROTHMENT, *be-troth'-ment* (Goth., *trawan*, to throw), is a mutual engagement or promise by a man and woman, with a view to a future marriage. The word literally denotes the giving one's troth—that is, true faith or promise. Among the ancient Jews, the betrothing was performed either by a writing or piece of silver given to the bride. Frequently, the engagement was entered into very early in life, though the actual marriage did not take place till the parties were of a proper age. In Germany, where betrothment is still common, there are various laws regarding it. The consent of the parents is always necessary if the parties are under age; but if the parents withhold their consent unreasonably, the permission of the judge may be obtained to enter into the contract. If the opinions of the parents are diverse, the law gives effect to that of the father. In some parts of Germany, the consent of the relatives and the presence of witnesses are required to render the contract valid; in others, such a contract is not only invalid, but the parties to it are punishable. By the common law of Germany, however, betrothments are valid in every case in which consummation or cohabitation by the priest has taken place. The parents, in such cases, are not allowed to apply for a dissolution of the contract, nor can they refuse their consent, except for highly important reasons. In case of refusal to fulfil the contract by marriage, the injured party is allowed an action at law to compel the performance; but from this suit may result, from unhappy marriages, the friends resorted to to compel its fulfilment are never great—usually a small fine or a short imprisonment. The betrothment generally takes place in a small circle of relations and friends, and is announced to friends by formal letters, and sometimes to the public

by advertisement. In Russia, the betrothment now forms part of the marriage ceremony. In England, formal betrothments were usual down to the time of the Reformation. The ceremony is said to have consisted in "the interchange of rings, the kiss, the joining of hands, to which is to be added the testimony of witnesses." Whoever, after betrothment, refused to proceed to marriage, was liable to excommunication, till that species of punishment was abolished by 26 Geo. II. c. 33. The only remedy now for the aggrieved party is an action at common law for breach of promise of marriage.

BEY. (See BEA.)

BIBLE, *bi'-bel* (Gr., *ta biblia*, the books), is the name first applied by Chrysostom, in the 4th century, to that collection of sacred writings which is regarded by Christians as the revealed word of God. These writings are divided into two parts—the Old and the New Testament, the former containing 37 books, the latter 27. The Old Testament only is regarded as sacred by the Jews; but both the Old and New Testaments are held as sacred by Christians. The term Testament is a translation of the Latin *testamentum* of the Vulgate, which, in turn, is a translation of the Greek word *diatheke*, a covenant. In the New Testament, the Old Testament writings are designated as the Scripture, the Scriptures, or the Holy Scriptures. About A.D. 180, the term Holy Scriptures was used to include the Gospels; and Irenæus called the whole collection of the books of the Old and New Testament the divine Scriptures and the Lord's Scriptures. The Old Testament was a name used by St. Paul (2 Cor. iii. 14), being a translation of the Greek expression *palaina diatheke*, "old covenant." It would be more correct, therefore, to describe the two collections of books as the Old and the New Covenants—more correct etymologically, and certainly more correct doctrinally; but the familiar names are the heritage of the ages, and, whatever Dictionary makers might prefer, will remain fixed in the memory of Christians. The volume, as we now possess it—containing both the Old and New Testaments—is not only by far the most remarkable literary production of the world, viewed only in its literary aspects, but contains the most remarkable collection of historical records; the most complete code of ancient laws; the most intense utterances of joy, sorrow, aspiration, of which the human mind is capable; the most amazing prophecies, extending to the utmost limits of time; national and patriotic efforts; worship in which all the powers of the intellect and imagination and of the soul are united; of descriptions of tranquil pastoral life as backgrounds to unequalled pictures of high tenderness, love, domestic affections, are the leading features; of passionate expressions of repentance or passionate outbursts of despair; subdued to calm and adoration by the power of the Divine love; of glimpses of the majesty and wonderful beauty of an unknown world; of strife and conquest; of triumph followed by annihilation; of the recognition of a Divine Being, infinitely above human nature in power and beauty, but infinitely sympathizing with it—a conception unknown to any other ancient system of theology and philosophy. After the history, theology, prophecy, and poetry of the Old Testament, comes the Gospel of the New Testament, the history of the Divine mingling with the human, the pathetic and

grand story of the life and death of Jesus; the record of the devotion, zeal, and sufferings of the apostles; the epistles which gave spiritual food to the early churches, and the closing vision of destruction and reconstruction, of the awful conflicts between evil and good, of the heavenly Jerusalem, of the great white throne, and of the end of death, sorrow, crying, and pain. The arrangement of the books of the Bible now generally accepted by Protestants is that adopted by Martin Luther in the 15th century. In the *Old Testament* we have, first the Pentateuch (or five books), which describe the creation of the world, the Abrahamic covenant, the emigration of the descendants of Abraham to Egypt, the exodus or departure from that country under the Divine protection, the wanderings in the Sinaitic wilderness, the conquest and settlement of Canaan, and the laws given by Moses for the regulation of the religious life of the nation. The books of Joshua and Judges, which carry on the history of the Jewish people in the period preceding the establishment of the kingdom of Israel. Then comes the pastoral story of Ruth, an introduction to the personal history of David, to be subsequently related in detail. This is followed by the two books of Samuel, in which, framed as it were in the historical narrative of a time of transition from the rule of judges, or chief magistrates, to the formation of a kingdom, appear three prominent figures—Samuel, the prophet; Saul, the first king of Israel; and David, whose personality as warrior, monarch, Psalmist, "egregious sinner and magnificent saint," is the most striking in the Hebrew Scriptures, apart from the religious interest excited by his typical character. The two books of Kings and the two books of Chronicles carry on the history of the Jewish people, and the two kingdoms of Israel and Judah, from the accession of Solomon to the captivity and dispersion of the Jews after the Assyrian and Babylonian invasions. The succeeding books of Ezra and Nehemiah describe the return from captivity and the re-establishment of the Jewish nation, with Jerusalem as the chief city. Then comes the interesting story of Esther, an episode of the captivity; followed by the book of Job, which some critics suppose to have been written by Moses, and estimated to be one of the very oldest books in the world, as it is certainly one of the most interesting and profoundly religious. Then follow the Psalms, partly written by David, partly collected by him and later authors and compilers—some indeed as late as the period of the captivity. They were adopted to be chanted with musical accompaniments in the magnificent service of worship in the Temple, but they make a yet higher appeal to our imagination and sympathy. In them are the joyful outbursts of religious enthusiasm, the most pious wailings of the soul conscious of separation from God, the most passionate self-accusation, the most rapturous joy at regained communion with the Divine nature; prayers, prophecies, and exhortations; the tears of captives by the waters of Babylon, the sublime Alleluia of the priests as the Ark was borne triumphantly in the steps of the Temple. Then come the Proverbs, the aphorisms uttered or collected by the intellectual and meditative Solomon; Ecclesiastes, that sad and gloomy declaration that "all is vanity," when shadows darken the soul; and the Canticles, or Song of Solomon, in which the excess of gorgeous and sensual images are held to be a type and a prediction of spiritual joy

in the union of the soul with the church of the redeemed. After these are the books of the four greater prophets, Isaiah, Jeremiah, Ezekiel, and Daniel; and of the twelve "minor" prophets, Hosea, Joel, Amos, Obadiah, Jonah, Micah, Nairum, Habakkuk; Zephaniah, Haggai, Zechariah, and Malachi. These close the Old Testament volume, which includes in all 39 books. The New Testament contains the Gospels of the four Evangelists, Matthew, Mark, Luke, and John; the Acts of the Apostles, describing the work and labour of the Apostles among the Jews and Gentiles, and the establishment of Christian Churches; fourteen epistles by Paul, one by James, two by Peter, three by John, one by Jude, and the Revelation of John (the Apocalypse), in all 27 books.

BIBLE CHRISTIANS, sometimes known as Bryanites, from William S. O'Brien, a Wesleyan local preacher, who separated from the Methodists in 1815, and with a few friends established the sect which now contains a considerable number of members. In general arrangements the Bible Christians follow, to a certain extent, the practice of the Wesleyans, having the same system of societies, classes, circuits, and local and itinerant preachers. The preachers do not accept the title of Reverend; and women are allowed to preach, but not to take part in Church government or discipline.

BIBLE PROHIBITION.—The prohibition of the Bible to the laity, as held by the Roman Catholic church, took its rise in the Middle Ages; for there is abundant evidence showing that it did not exist in the early ages of the Church. From the time that Gregory VII., in 1080, declared that the Latin language should be the language of the Church, the public use of vernacular copies of the Scriptures ceased. It was not, however, till 1199 that Innocent III., with a view to check the spread of the reformed principles of the Waldenses, prohibited the private possession or reading of the Scriptures without the permission of the Church. Similar prohibitions were issued at Toulouse (1229), at Clermont (1233), and at the synod of Oxford (1234), when the principles of Wicliffe were spreading. Since that time, numerous enactments of the Church have been made on this subject, asserting that it is dangerous to give the Bible freely to the laity, and that no vernacular version should be used without interpretations taken from the Fathers and an especial Papal sanction.

BIBLE SOCIETIES are associations formed for circulating copies of the Holy Scriptures. Among the earlier and more important of these associations were the Society for Promoting Christian Knowledge, established in 1693; the Society for sending missionaries to India, established in Denmark 1705; the Society for Promoting Christian Knowledge in the Highlands and Islands of Scotland, formed in Edinburgh 1709; the Moravian Missionary Society, founded in 1732; the Book Society for Promoting Religious Knowledge among the Poor, formed in London 1750; and the Naval and Military Bible Society, established in the year 1783. The efforts, however, of all these societies were still far from being equal to the object in view, and within the present century societies of great magnitude have been organized. There are about 70 Bible Societies in the world.

British and Foreign Bible Society.—The first idea of establishing this society arose from the great scarcity

of Bibles in Wales; and the earliest steps towards its formation were taken in 1802. On March 7, 1804, a public meeting of about 300 persons of various religious denominations was convened; and it was then resolved that a society be formed, under the designation of the British and Foreign Bible Society, the sole object of which shall be to encourage a wider diffusion of the Holy Scriptures. A committee of thirty-six individuals, of various religious opinions, was also named to carry out the arrangements. One of the fundamental rules of the society was, that it was to promote the circulation of the Scriptures, without note or comment, both at home and abroad. This subsequently gave rise to several controversies; at one time certain divines of the Church of England insisting that the Prayer-book ought to be given along with the Bible; and, more recently, the circulation of the Apocrypha on the continent, along with the canonical books of Scripture, led to a prolonged controversy. By a fundamental law of the society, no translations have been adopted or circulated in the languages of the United Kingdom except the authorised version. For other lands the best ancient or received version have been printed. Most of the translations made for countries not yet enlightened by Christianity have been made by resident missionaries, and wherever practicable, from the original Hebrew or Greek text. The Society has had a share, direct or indirect, in the translation, printing, or distribution of the Scriptures in 243 languages or dialects. The number of versions is 315, since in many languages there are more than one. From the establishment of the society down to 1881, they had issued more than 91,000,000 copies of the Bible, or portions of it, of which number nearly 41,700,000 are in the English language. In the course of the year 1880, 2,846,020 copies of the Scriptures, whole or in part, were issued. There are 6,206 affiliated societies.

Society for Promoting Christian Knowledge ranks next to the British and Foreign Bible Society in its efforts to diffuse copies of the Holy Scriptures, although its operations are not confined to that object. Like the Bible Society, it issues translations of the Scriptures in foreign languages, and has its agents for promoting the diffusion of the Scriptures abroad.

National Bible Society of Scotland.—In 1861 the Edinburgh and Scottish Bible Societies were united, forming one association under this title. It issues nearly 350,000 Bibles, Testaments, and "portions" annually.

American Societies.—In the United States the first Bible Society was that established at Philadelphia, in 1808. In 1817, the American Bible Society was formed at New York. It has now many auxiliary societies in all parts of the United States, and issues annually nearly 1,000,000 Bibles, Testaments, or portions of Scripture.

Foreign Societies.—On the continent of Europe, the first foreign Bible Society was that formed at Nürnberg, 1804; but the seat of its operations was subsequently transferred to Basel. In 1805, a Bible society was formed in Berlin, which subsequently became merged in the Bible Society of Prussia, established in 1814. This is the most flourishing of the German societies; and it has issued upwards of 4,000,000 copies of the Bible and New Testament. In 1813, the Russian Bible Society was established in St. Petersburg. It carried on its operations with great activity; but it was suppressed, by order of Nicholas, in 1866. A Protestant Bible society has since been formed for the purpose of supplying Protestants in Russia with the Holy Scriptures. In Paris, a society was formed in 1818, and still exists, under the name of the French Protestant Bible Society. There are similar societies at Stockholm, Copenhagen, Hamburg, Lübeck, Dresden, Frankfurt-am-Main, Stuttgart, &c.

BIBLICISTS, OR BIBLE DOCTORS.

bibli-sists, was a name given, in the 12th and 13th centuries, to those doctors or learned men who made the Holy Scriptures the chief subject of their study and the text of their lectures. The scholastics, on the other hand, brought in the doctrines of faith, as well as the principles and precepts of practical religion, under the dominion of philosophy.

BICÊTRE, *be-saitr*, a castle and village in the neighbourhood of Paris, situated on a hill, and commanding one of the finest prospects of the capital, of the course of the Seine, and of the environs. Louis XIII. erected the castle as a hospital for old soldiers, on the site of an ancient edifice, destroyed in 1632, because it had become a refuge for thieves. When Louis XIV. afterwards rebuilt the Hôtel Royal des Invalides, Bicêtre became a great hospital, for which it is well adapted by its healthy situation. Bicêtre contains, also, a house of correction (*maison de force*) for dissolute persons, thieves, swindlers, &c. Since the revolution of 1793, a prison has been erected for those criminals condemned to the galleys, who are afterwards sent to the public dockyards. The prison is large enough to contain 2,000 culprits. In the hospital several hundred beds are allotted to aged patients. None are admitted under the age of 70 years: they are attended with the greatest care, and spend their leisure in the construction of little toys of wood or bone. Bicêtre also contains a large hospital for incurable madmen.

BIDDING PRAY'R, *bid-ding*.—It was part of the duty of deacons in the early Christian church to act as monitors and directors of the people in the exercise of their public devotions; hence they made use of certain forms or words to give the worshippers or hearers notice when each part of the service began. Bishop Burnet informs us that before the Reformation, when the priest had announced his text, he called on the people to go to their prayers, telling them what they were to pray for. "Ye shall pray," says he, "for the king, for the Pope, for the holy Catholic church," &c. When this was done, the people repeated their prayers, counting them upon their beads, in perfect silence, the priest kneeling down likewise and saying his. The rising of the priest was the signal for all to cease their devotions, and the sermon was then proceeded with. The 55th canon of the Church of England (1603) enjoins that before all sermons, lectures, and homilies, the preachers and ministers shall move the people to join with them in prayer in a certain form. This form is known as the bidding prayer, or bidding of prayer, because in it the preacher is directed to bid the people to pray for certain specified objects. It is now rarely used, the practice of reading a collect or some short prayer before the sermon being generally substituted for it. The form "Let us pray," repeated before several prayers in the English liturgy, is taken from this practice of the early Church; and the prayer for the Church militant, beginning "Let us pray for the whole state of Christ's Church militant here in earth," is an instance of invitation to prayer for a special object, resembling the bidding prayer.

BIGAMY, *big-a-mie* (Lat., *bigamia*), is the offence of a second marriage by a person who has a former husband or wife still living. Such second marriage is simply void and a mere nullity by the ecclesiastical law of England; but the legislature has thought it just to make it felony, by reason of its being so great a violation of the public economy and decency of a well-ordered state. The latest enactment on the subject (24 and 25 Vict. c. 61) makes the offence punishable with penal servitude for not more than seven, nor less than three years, or imprisonment with or without hard labour for not more than two years. A valid marriage must be proved in the

first instance to establish the charge of bigamy. In regard to the second marriage (which constitutes the offence), the English courts have held that it is immaterial whether, but for the bigamy, it would have been a valid marriage or not.

BIGOT, *big'-ot*, a word applied to a person perversely and obstinately wedded to some practice or opinion, but especially to one who adheres with vehemence to any peculiar notions or extraordinary dogmas upon questions of religion.

BILBOES, *bil'-boes*, long bars or bolts of iron, with shackles sliding on them, and a lock at the end, used on some occasions to confine the feet of prisoners; as handcuffs confine their hands.

BILL (from Lat., *bullo*, a seal), a term originally applied to any sealed letter or document, but now generally used to denote any formal written statement of any kind. It has many technical applications, especially in political, legal, and commercial matters.

BILL, in Parliamentary procedure, the form in which a proposal to amend, alter, or add to the Statute law is presented to Parliament. (See **STATUTE**.) The first step taken by the persons, whose names appear at the back of the Bill as introducing it, is to ask leave of the House of Parliament (the Lords or the Commons, as the case may be) to introduce the Bill. That being given, the Bill must be "read" three times before being passed on to the other House. There may be a debate and amendments on each reading, but usually the first reading is taken with little opposition, discussion being reserved for the second reading, which takes place (unless successfully opposed) after the Bill has been examined, clause by clause, in "committee of the whole House," and amendments have been proposed and discussed. The question is then put "that the Bill be now read a second time," and, if that motion is carried, a time is fixed for the third reading, which, except in cases of great importance, or where much opposition exists, is generally only a formal proceeding. When a Bill has passed both Houses, there only remains the Royal assent to make it an Act of Parliament. If a motion is carried, at any stage, that a Bill be "read again on that day six months," it is virtually lost, because, reckoning the ordinary duration of a Parliamentary session, the House would not be sitting at the time mentioned. Bills for the levying or grant of money can originate only in the House of Commons; because that House has the exclusive privilege of proposing measures involving expenditure of the public money. (See **COMMONS**, **HOUSE OF**.) Bills for the restitution of honours and titles originate in the House of Lords. (See **LODDS**, **HOUSE OF**.) A Bill concerning the privileges of either House is brought into the House to which it relates.

Private Bills are those which have for object the particular interest or benefit of any individuals or corporations. Bills for the construction of railways, harbours, &c., often confer additional powers on trustees and corporate bodies, or landowners and others, to exercise powers not already possessed by them in dealing with their property, and are private Bills. They must be brought in upon the sanction of the parties interested, and after due notice of public advertisement and otherwise, and every Bill is read at each stage. If opposed, a *second* committee is appointed to take evidence, and counsel may be employed on both sides.

Bill of Attainder. (See **ATTAINDER**.)

Bill of Indemnity.—A Bill to indemnify persons who

have, through forgetfulness, inadvertence, or other causes, done or omitted to do certain acts whereby they have incurred penalties.

Bill of Pains and Penalties.—A Bill of this nature can be introduced for the purpose of punishing a person who has committed a crime of peculiar enormity, for which no adequate punishment is provided by the ordinary law. Such a proceeding, however, has been but rarely resorted to. In 1722, a Bill of this kind was passed which deprived Bishop Atterbury of his spiritual dignities and banished him for life as a punishment for aiding the Pretender; and in July, 1820, Lord Liverpool, the Prime Minister, introduced a Bill of Pains and Penalties directed against Queen Caroline; but in November, when the division took place at the last reading, the majority in its favour was so small, that the Bill had to be abandoned.

BILL OF RIGHTS. The Petition of Right, drawn up by Parliament in 1628, and agreed to reluctantly by Charles I. in 1628, was converted into a statute (3 Charles I. c. 1), known as the Bill of Rights. A later statute (1 Will. and Mary, c. 2) is, however, better known in history by the name. It was passed after much discussion in November, 1689, and embodied the Declaration of Rights presented to William and Mary when the tender of the throne was made to them in February, 1689. The rights declared are as follows:—1. That the pretended power of dispensing with laws, by regal authority, without consent of Parliament, is illegal. 2. That the pretended power of dispensing with laws, or the execution of laws, by regal authority, as it had been then of late assumed and exercised, is illegal. 3. That the commission for erecting the Court of Commissioners for Ecclesiastical Causes, and all other commissions and courts of like nature, are illegal and pernicious. 4. That levying money for or to the use of the crown, by pretence or prerogative, without grant of Parliament, for longer time or in other manner than the same is or shall be granted, is illegal. 5. That it is the right of the subject to petition the king; and all commitments and prosecutions for such petitioning are illegal. 6. That the raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of Parliament, is against law. 7. That the subjects which are Protestants may have arms for their defence suitable to their conditions, and as allowed by law. 8. That elections of members of Parliament ought to be free. 9. That the freedom of speech, and debates or proceedings in Parliament, ought not to be impeached or questioned. 10. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. 11. That jurors ought to be duly impanelled and returned; and jurors which pass upon men in trials for high treason ought to be freeholders. (This provision respecting the qualification of jurors in cases of treason is repealed by the Jury Act, 6 Geo. IV. c. 50.) 12. That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void. 13. And that, for redress of all grievances, and for the amending, strengthening, and preserving of the laws, Parliaments ought to be held frequently. It concludes in these remarkable words:—"And they do claim, demand, and insist upon all and singular the premises, as their undoubted rights and liberties." The Act of Parliament itself recognizes all and singular the rights and liberties asserted and claimed in the said declaration, to be the "true, ancient, and indubitable rights of the people of this kingdom." These liberties were again as-

serted at the commencement of the 18th century, in the Act of Settlement, 12 and 13 Will. III. c. 2, whereby the crown was limited to her present Majesty's house; and some new provisions were added for better securing our religion, laws, and liberties, which the statute declares to be the "birthright of the people of England, according to the ancient doctrine of the common law." Some of these provisions have been since repealed. The principal which are now in force may be shortly stated thus:—The possessor of the crown shall join in communion with the Church of England, as by law established, and, if not a native of England, this nation shall not be obliged to engage in war, to defend any dominions which do not belong to the crown of England, without the consent of Parliament; that the Judges shall not be removed whilst they properly demean themselves, except upon the address of both Houses of Parliament, and their salaries shall be ascertained and established (and by 1 Geo. III. c. 23, their commissions are continued, notwithstanding the demise of the crown); that no pardon under the great seal shall be pleadable to an impeachment by the Commons in Parliament.

BILL, in law the name is given to various documents in criminal and civil proceedings.

In Criminal Cases, a bill is an indictment or written accusation of one or more persons of a crime or misdemeanour preferred to or presented upon oath by a grand jury. When this jury have heard the evidence, if they think it an accusation groundless, or not sufficiently supported by the witnesses called before them, they endorse the bill "not a true bill," or, "not found;" and then the bill is said to be thrown out, and the party is discharged without further answer; but a fresh bill may afterwards be preferred to a subsequent grand jury, but not at the same assizes or sessions, for the same offence. If they are satisfied of the truth of the accusation, then they endorse upon it, "a true bill." The indictment is then said to be found, and the party stands indicted. To find a bill, twelve of the jury, at least, must agree.

Bill in Chancery was formerly the first commencement of a suit in the Court of Chancery, which is analogous to an action in the common-law courts. It took the style of a petition to the Lord Chancellor, and consisted of a concise narrative of the facts and matters on which the plaintiff relied. This form was abolished by the Judicature Act of 1875. (*See JUDICATURE.*)

Bill of Costs. (*See COSTS.*)

Bill of Exceptions was formerly of the nature of an appeal, examinable, not in the court out of which the record issues for the trial at *nisi prius*, but in the next immediate superior court, upon a writ of error, after judgment given in the court below. Bills of Exceptions were abolished by the Judicature Act of 1875.

BILL-CHAMBER, a department of the Court of Session in Scotland, in which summary petitions and applications, and other branches of business requiring unusual despatch, are disposed of. (*See SESSION, COURT OF.*)

BILLETING, *bil-let-ing* (Fr. *billet*, a letter), the means by which food and lodging are provided for soldiers when on the march, or during a temporary stay in any town, in which there are no barracks for their accommodation. Prior to the passing of the Mutiny Act in 1860, private persons were compelled to receive soldiers in their dwellings without any redress at the hands of the civil authorities, as the men or their officers might demand; but after that an equitable distribution by the magistrates, constables, and other authorities of the place was enjoined in all cases; and since 1745 it has only been

compulsory on innkeepers of all classes, persons keeping beer and cider-shops, and those licensed to sell wine and spirits, or let horses for hire. Certain exactions are made in the case of the Guards billeted in the neighbourhood of London. If the person on whom soldiers are billeted has not accommodation in his own house, he must find it in the neighbourhood. There is a fixed, but small, scale of payment. Billeting is not very frequently resorted to now, the enlargement of barracks and the formation of camps having to a great extent superseded it.

BILLS OF MORTALITY are accounts of the number of deaths that have taken place within a particular district in a specified time, classified according to their ages, the diseases of which they died, &c. They were first compiled in London about 1538, and early in the following century they began to be returned weekly. In 1837, they were superseded by the weekly returns of the registrar-general.

BIO THANATUS, or **BIATHANATUS**, *bi-o-than-a-tus* (Gr., *bios*, life, or *bia*, violence, and *thanatos*, death), one who dies a violent death, or very suddenly, as if there were no space between health and death. The term was also applied by way of reproach to the Christians in the early ages of the Church, on account of their enduring even unto the death; and were thus looked upon as little better than self-murderers.

BIRTH, *birth* (Ang.-Sax., *beorthe*; Ger., *burt*, from the verb *bæren*, to bear), the act of coming into life. (*See GENERATION.*) In this country a tax was imposed on the birth of a child by the Act 6 and 7, Will. III. c. 6, passed in 1695. The amount varied according to the social rank of the parents. A duke paid £30 on the birth of an eldest son, and £25 for each other child; a baronet or knight, £5 for an eldest son, and £1 each for other children. An archbishop or bishop, or a doctor of divinity, law, or physic, got off with £1 for every child; and a gentleman having a personal estate of £500, or a real estate worth £50 per annum, was taxed to the amount of 10s. Below that condition, every person not receiving alms had to pay 2s. for each addition to the family. The tax was originally levied for five years; but by a later Act (8 and 9, Will. III. c. 20) was continued for six years more. The word birth is figuratively used for extraction, lineage, or rank by descent.

Birth, Concealment of. (*See CONCEALMENT OF BIRTH.*)

BIRTHS, MARRIAGES, AND DEATHS. (*See VITAL STATISTICS AND REGISTRATION.*)

BISHOP, *bish-op* (Sax., *biaceop*, from Greek *episcopos*, an overseer or superintendent). The term was employed by the Greeks and Romans to designate certain civil officers who exercised some species of superintendency. On the introduction of Christianity, it came to be appropriated to ecclesiastical offices. It has long been a great question in the Church what kind of superintendency originally belonged to the bishop; whether it was of a church or body of Christians merely, or of a number of churches or pastors. The Presbyterians, Congregationalists, and others hold to the former opinion; while the Established Church of England and the Roman Catholics maintain the latter. St. Paul addresses the elders of the Church at Ephesus as "overseers," or bishops, and on that passage Presbyterians very much depend; but as the churches increased in

number, and the apostles could not exercise a direct supervision over all, they appointed assistants, each of whom had several churches under his care, and who were virtually bishops, although in some instances they were styled "angels," as in the second and third chapters of the book of *Revelation*, where the "angels" of the Churches at Ephesus, Smyrna, Pergamos and other places are referred to. Irenaeus, a Christian martyr of the 2nd century, refers to those "who by the apostles were made bishops." There is direct evidence that the apostles appointed bishops in Rome, Smyrna, and Antioch. The earliest bishops had each a certain territorial district placed under his superintendence, and the city where he dwelt was termed his see (*sedes*), the immediate district his parish (*parokia*), and the whole district over which he had control his diocese (*diokesis*). As the church extended, new dioceses were formed, and the bishops of the older sees exercised a sort of spiritual authority as primates, presiding in the councils held. As the highest bishop generally resided in a chief city, or metropolis, he became known as a "metropolitan," a term still used. In the English Church the bishop is the highest of the three ministerial orders, and exercises oversight over a certain district, called his see or diocese. The bishop performs the functions of ordination, consecration, confirmation, and excommunication. He exercises a superintendence over the pastors in his diocese in regard to their morals, the performance of their duties, &c. The bishop is elected by the chapter of his cathedral church; but the nomination is virtually with the crown. The sovereign, on a vacancy being notified, sends to the chapter a missive letter *congé d'élire*, that they proceed to elect a successor, at the same time naming the person they are expected to elect. If they do not proceed with the election within a short time, the king may nominate by his own authority; or, if they elect any other than the person named, they incur the penalty of a *præmunire*, which includes forfeiture of goods, outlawry, and other evils. In the Roman Catholic Church, the Pope claims the right to appoint all bishops; but the exercise of this right is modified by concordats with the sovereigns of the respective states, and by the privilege conferred on certain chapters of cathedrals of electing their own bishops, subject to Papal approval. A bishop must be at least thirty years of age. He is said to be installed in his bishopric, writes himself by Divine permission, and has the title of lord and right-reverend father in God. The English bishops are, by virtue of their bishoprics, lords of Parliament, and nearly all sit in the Upper House. The Bishop of Sodor and Man has no seat in the House of Lords; and, since the recent creation of the bishopric of Manchester, the last appointed of the other bishops has no seat (except those of Canterbury, York, London, Durham, or Winchester); so that the number of lords spiritual sitting in parliament might not be increased. They claim all the privileges enjoyed by the temporal peers, except that they cannot be tried by their peers upon indictment for treason or felony, nor sit upon such trials in the court of the lord high steward. They are also practically excluded from sitting on trials for capital offences; for they are prohibited by the canons of their church from being judges of life and death. In England there are in all 31 bishops, including the archbishops of Canterbury and York, each of whom has his own see or diocese, in which he exercises ordinary episcopal functions. The

bishops of his province, over whom he exercises a certain jurisdiction, are called his suffragans. The term originally, however, denoted a titular bishop appointed to assist the bishop of any diocese in his spiritual functions, and to supply his place when absent, and that meaning of the term has recently been restored. The Archbishop of Canterbury, and the bishops of London and Lincoln are assisted by suffragan bishops. The archbishop of Canterbury is styled *Metropolitanus et Primus totius Angliæ*, and takes precedence of all the nobility of the realm after the blood royal. The archbishop of York is styled *Primus et Metropolitanus Angliæ*, and has precedence of all dukes not of the blood royal, and all the great officers of state except the lord chancellor. (See ARCH-BISHOP.) The bishops of London, Durham, and Winchester take precedence of all the other bishops, who rank after them according to their seniority of consecration. There are 23 bishops in the province of Canterbury, and 18 in that of York. Formerly the incomes of the sees differed very much in amount; but latterly the ecclesiastical commissioners have been from time to time, on the avoidance of sees, attempting to adjust their incomes. The present income of the archbishop of Canterbury is £15,000; of York, £10,000; of the bishop of London, £10,000; Winchester, £7,000; Durham, £8,000; Ely, £5,500; the others from £2,500 to £5,000, except Sodor and Man, £2,000.

Irish and Scotch Bishops.—In Ireland there are two archbishops and ten bishops; in Scotland seven bishops.

Colonial Bishoprics in connection with the Church of England have from time to time been established in India and in the principal British colonies. The first of these was the bishopric of Nova Scotia, created in 1787; and at present the number amounts to 60, besides 11 missionary bishoprics. The salaries are in some cases voted by the Imperial Parliament from the consolidated fund; in others they are paid from the colonial funds, or are secured by bequests or contributions from the colonial bishopric fund, or other charitable funds; or they are made up from two or more of these sources.

Roman Catholic Bishops.—In the British Dominions.—England and Wales—1 archbishop, 13 bishops, and 2 auxiliary bishops; Scotland—2 archbishops and 4 bishops; Ireland—4 archbishops, 23 bishops, and 2 coadjutor bishops; India, Colonies, and Dependencies—5 archbishops and 46 bishops, besides coadjutors and vicars apostolic. Throughout the world—according to official reports published at Rome in 1880, there were 1,134 archbishops and bishops of the Papal Church.

American Churches.—**Protestant Episcopal Church of America.**—The whole of the United States are divided into dioceses, each State ordinarily constituting one diocese, but New York being divided into five; and at the head of each diocese is a bishop. There are altogether 52 bishops, including assistant and missionary bishops. The *Methodist Episcopal Church* has 21 bishops, and the *African Episcopal Zion Church*, 6.

Russian and Greek Churches.—There are 38 dioceses in Russia. The Holy Synod, in the case of a vacancy in the episcopal ranks, submits two names to the Emperor, for him to select one, but he frequently disregards the nomination and appoints a bishop, whom the Synod is bound to accept. In the Church of the Levant, properly called the Greek Church, governed by the four patriarchs of Constantinople, Antioch, Jerusalem, and Alexandria, the bishops are elected subject to the approval of the patriarch; but theirman of the Sultan is necessary to give full authority to the bishops after their confirmation.

BISHOP, BOY. (See BOY BISHOP.)

BISHOP'S COURT. (See CONSISTORY COURT.)

BISSEXTILE, *bis-sext-il* (Lat., *bissextilis*,

from *bis*, twice, *sextilis*, sixth), in Chronology, is the name given to that year which contains 366 days, called, also, leap-year. (See LEAP YEAR.) This additional day was given to February, as being the shortest month, and was inserted between the 24th and 25th. By their mode of reckoning, the 24th was the sixth day before the calends, or 1st of March, hence called *sexto calendas Martii*; and in order to preserve the same enumeration, the intercalary or repeated day was termed *bis-sextus dies*, or the second sixth day, and the year in which it occurred *bissextilis*. (See CALENDAR.)

BLACK ACT. Previous to the statute 9 Geo. I. c. 22, the king's forest near Waltham, in Hants, was infested by lawless persons, who disguised themselves and blackened their faces, and were hence called *Waltham Blacks*. They committed great devastations on the deer; to prevent which, and similar offences, the statute enacted that persons hunting, *armed and disguised*, and killing or stealing deer, or robbing warrens, or stealing fish out of any river, &c., should be guilty of felony without benefit of clergy. The Act was repealed by the 7 and 8 Geo. IV. c. 27, passed in 1827. The Acts of the Scottish Parliament from the reign of James I. of Scotland to the year 1586, are known as *Black Acts*, because they are printed in black-letter (which see).

BLACK ART, a name given to magic, as it was superstitiously imagined that all who exercised the art were aided by the devil in the accomplishment of the effects produced. As the pursuit of magic was deemed sinful in the extreme, and black was the emblem of wickedness and evil in the Middle Ages, so the term "black art" became applied to it. (See MAGIC.)

BLACK ASSIZE, the name given to an assize held in the old town-hall of Oxford in June 1577, on account of an extraordinary and fatal pestilence which broke out during it. It is said that judgment had just been passed upon one Jencks, a bookbinder, for sedition, who was sentenced to lose his ears, when there arose such an infectious damp or breath among the people, that many were then smothered, and others so deeply infected, that they lived not many hours after. Above 600 sickened in one night; and, from the 6th of July to the 12th of August, 510 persons are said to have died in Oxford and the neighbouring villages. It was popularly regarded as a divine judgment on the cruelty of the sentence; but it was probably owing to the filthy condition of the neighbouring gaol where the prisoners had been kept. A similar pestilence is said to have broken out at Cambridge during the Lent assize held there in 1521.

BLACK BOOK OF THE ENGLISH MONASTERIES was a book compiled by order of the visitors of these establishments, under the reign of Henry VIII. It detailed the scandalous enormities practised in the religious houses, with a view to blacken their character, and to hasten their dissolution. Hence the phrase "to set one down in the black book."

Black Book of the Exchequer.—The *Liber Niger Scaccarii*, or *Liber Niger Parvus*, appears to have been compiled in the reign of Henry III., and is now preserved among the other records of the Exchequer. It gives a description of the court of England as it stood in the reign of Henry II.; the rank, wages, powers, and perquisites of the different officers of the court; the revenues of the crown, will of Henry II., &c. It has been printed by Hearne, Oxford, 1728.

BLACK DEATH is the name given to a most destructive pestilence, which, towards the middle of the 14th century, extended itself over all parts of the known world. It took its name from the black spots which appeared on the skin. It was an intense form of the oriental plague, and, like it, was characterized by fever, putrid inflammation of the lungs, buboes and carbuncles. It is said to have taken its rise in China, and to have thence travelled westward to Europe, where it made its appearance in 1348. Some accounts state that the impure air was actually visible as it approached with its burden of death. Historians of that time give a most horrible picture of the sufferings and deaths that were occasioned by it. In Europe alone, during the three years that it prevailed, it is said to have carried off 25,000,000 persons, London having lost over 100,000. It has been asserted, but, of course, on very imperfect data, that in the East more than 35,000,000 persons perished. It was looked upon as a judgment of Heaven; and many thought to save themselves by giving their goods to the Church, or by personal chastisements. The Jews were also looked upon as the cause of it; and, in consequence, great numbers of them suffered death. In the city of Mayence alone, 12,000 of them were cruelly murdered. The prevalence of this terrible plague gave rise to the brotherhood of Flagellants, who undertook to expiate the sins of the people, and avert the pestilence by self imposed sufferings. (See FLAGELLANTS.) The black death has several times made its appearance in Europe since that time, but never with the same virulence. Boccaccio, in the introduction to his "Decameron," has given a lively description of its physical and moral effects in Florence; and a full and interesting account of it is to be found in Hecker's "Epidemics of the Middle Ages."

BLACK FRIARS. (See DOMINICAN FRIARS.)

BLACK-HOLE, *black-hole*, the term given to the place of confinement in which soldiers undergo short terms of imprisonment for minor offences against military discipline; and hence applied to the old village "lock-up," or "cage," the cells of a police-station, or any place in which persons are temporarily lodged in durance.

Black-hole of Calcutta, a place about 18 feet square, lighted and ventilated by two small windows several feet from the ground, in which 146 English merchants and soldiers, who belonged to the garrison and factory that had been lately established at Calcutta, were imprisoned by order of the Nabob Surajah Dowlah, on the evening of June 18, 1756. These unfortunate men, suffering from want of air, unbearable heat, and intense thirst, and exhausted by the continual struggle to reach the narrow air-shafts, sank one by one through the long hours of that terrible night, until morning brought release and renewal of existence to twenty-three only, who had existed through the horrors that had caused the death of their fellow-sufferers.

BLACK LIST is a name popularly given to certain printed lists privately circulated among subscribers, giving lists of insolvents and bankrupts, protested bills, judgments for debt, and other matters affecting the credit of firms and individuals, and intended for the guidance of merchants and others in trade. (See TRADE PROTECTION SOCIETIES.)

BLACK MAIL.—Previous to the rebellion of 1745, the Highlands of Scotland were in a very lawless condition. The stealing and carrying off of a neighbour's cattle was a system of

plunder practised even by persons of standing and influence. To obviate this state of things, a class of men rose up who professed to take upon themselves the duty of protecting the property of individuals upon payment of a certain annual sum, which was called "black mail." They generally also took care that the cattle of those who refused to pay black mail should be carried off. When, however, any one of the payors of black mail lost his cattle, the levier either recovered them or made them good. The celebrated Rob Roy was a notorious levier of black mail in the western Highlands. After the rebellion, the law was more vigorously enforced in the Highlands, and black mail ceased.

BLACK ROD, USHER OF THE. (See USHER OF THE BLACK ROD.)

BLACK ROD OF SCOTLAND, in Scottish History is the name given to a golden cross about a span long, elaborately wrought in the form of a casket, and containing what was believed to be a piece of the true cross. It was brought to Scotland by Margaret, the Anglo-Saxon princess, on her marriage with Malcolm Ceanuair, about 1070, and came to be regarded with great veneration by the people. It was taken possession of by Edward I. of England, in 1297, and used by him to give increased solemnity to the oath of fealty exacted from the Scottish nobles, but was subsequently restored. When David II. invaded England in 1346, he carried the black rod along with him; and, on his defeat by Sir Ralph de Neville, it became the property of the conqueror, who deposited it in Durham Cathedral, where it remained till the Reformation, but subsequently disappeared.

BLACK WATCH.—The body of men so called were regularly enrolled, about 1720, for the purpose of watching the disaffected Highlanders, who were seeking an opportunity to renew the revolt against the government of the house of Hanover in the person of George II., which had been previously attempted in 1715, a twelvemonth after the accession of his father, George I. A few Highlanders had been entrusted with arms by the government about fours years previously, but a greater number were now enlisted from the Campbells, Grants, and other clans well affected towards the government, and divided into six companies, three of 100 men each, under a captain, and the remainder of 70 men each, under a lieutenant. As these men wore tartans consisting of dark colours, they were called the Black Watch. In 1739, these companies, which had hitherto acted independently of each other, were incorporated into the famous 42nd regiment, the command of which was given to the earl of Crawford. They were then relieved from the duty of watching the Highlanders, who took the opportunity to organize the rebellion of 1745. The recent re-organization and re-naming of the infantry regiments has not interfered with the old name—the regiment being still known as the Black Watch (Royal Highlanders). There is not a more distinguished regiment in the service.

BLANCH, or BLENCH HOLDING, an ancient feudal tenure recognised by the law of Scotland, in some respects equivalent to what is known in England as a "peppercorn" rent, the duty payable to the lord being some insignificant sum, as a penny.

BLANCHE LYON. (See PURSUVANT.)

BLANK BONDS. Previous to the passing in 1696 of a Scottish act which declared them void, these were securities in which the creditor's name was left blank, and which passed by mere delivery, the bearer or holder being at liberty to insert his name in the blank space and sue for payment.

BLASPHEMY, *blas'-fe-me* (Gr., *blasphemia*, from *blaspho*, I hurt, and *pheme*, reputation), literally means defamation or evil-speaking, and at first was used to denote simply the blaming or condemning of a person or thing. Afterwards, however, it came to be restricted to an indignity offered to the Deity, either by words or writing. In the early Christian church, blasphemy was regarded as of three kinds—1, The blasphemy of apostates, whom the heathen persecutors obliged not only to deny, but to curse Christ; 2, the blasphemy of heretics and other profane Christians; and 3, the blasphemy against the Holy Ghost. The first sort of blasphemers were such as, after making a profession of Christianity, turned apostates, and blasphemed Jesus Christ; this being the usual test administered to them by their persecutors. The second were such as made a profession of Christianity, but yet, either by impious doctrines or profane discourses, derogated from the majesty and honour of God and his holy religion. For the third kind of blasphemy, that against the Holy Ghost, see below. Under the Mosaic law, blasphemy was punished with death; and the same punishment was also awarded to it by the civil law and the laws of many civilized countries. By the canon law, blasphemy was punished only by a solemn penance; and subsequently the corporal punishment came to be commuted into a pecuniary fine. Blasphemy is usually defined to be an injury offered to God, by denying that which is due and belonging to him, or attributing to him what is not agreeable to his nature. According to Blackstone, the offence of "blaspheming against the Almighty, by denying his being or providence, or by contumelious reproaches of our Saviour Jesus Christ, is punishable at common law by fine and imprisonment, or other infamous corporal punishment; for Christianity is part of the laws of England." By the common law, also, profane scoffing at the Holy Scriptures, or exposing any part thereof to contempt or ridicule, are indubitable offences. In the reign of Edward VI., it was enacted that persons reviling the sacrament of the Lord's Supper by contemptuous words or otherwise, should suffer imprisonment. This Act was repealed in the reign of Mary, but revived by Elizabeth. The 9 and 10 Will. III. c. 32, entitled, "An Act for the more effectually suppressing of Blasphemy and profaneness," states that "many persons have of late years openly avowed and published many blasphemous and infamous opinions, contrary to the doctrines and principles of the Christian religion, greatly tending to the dishonour of Almighty God, and may prove destructive to the peace and welfare of this kingdom;" and enacts that any person or persons having been educated in, or having made a profession of the Christian religion within this realm, "shall, by writing, printing, teaching, or advised speaking, deny any one of the persons of the Holy Trinity to be God, or shall assert or maintain that there are more gods than one, or shall deny the Christian religion to be true, or the Holy Scriptures of the Old and

New Testament to be of divine authority," shall, for the first offence, be adjudged incapable of holding any office or employment, ecclesiastical, civil, or military; and, on a second conviction, shall be disabled to sue, prosecute, plead, or use any action in any court of law or equity, and shall also suffer imprisonment for three years. The main provisions of this Act remain still in force; but by 53 Geo. III. c. 160, those who deny the doctrine of the Trinity are exempted from its penalties. In 1841, the law against blasphemy was enforced upon Mr. Moxon for publishing an edition of Shelley's "Queen Mab;" but the sentence was merely nominal. In this case the prosecution was instituted by another publisher, named Hetherington, who had a short time previously suffered four months' imprisonment for publishing a work described as blasphemous. In Scotland, blasphemy was, by acts of the Scottish parliament passed in 1661 and 1695, punishable by death; and the last who suffered capital punishment for this crime in Scotland was Thomas Aikenhead, a student of divinity, who was executed in 1706. These severe statutes were, however, repealed by 53 Geo. III. c. 160, which made the punishment arbitrary. By Act 6 Geo. IV. c. 47, the publication of blasphemy was punishable by fine and imprisonment, and by banishment for a second offence; but this last was repealed by 7 Will. IV. c. 5, which rendered the punishment only fine or imprisonment or both.

Blasphemy against the Holy Ghost.—Divines are very much divided in opinion as to what the nature of this sin was. Christ says, in Matthew xli. 31 (and to the same effect in Mark lii. 29, and Luke xlii. 20), "All manner of sin and blasphemy shall be forgiven unto men; but the blasphemy against the Holy Ghost shall not be forgiven unto men." In the early church some applied it to the sin of lapsing into idolatry; others to a denial of the proper Godhead of Christ; others to a denial of the divinity of the Holy Ghost. Augustine resolves it into obstinacy in opposing the methods of divine grace, and continuing in this obduracy to the end of life. A more general opinion is, that it consisted in the imputing of the miracles wrought by the Holy Spirit to the power of the devil, and that it was directed against the Jews. The saying of Christ, as recorded in the Gospels of Matthew and Mark, was directly called forth by the Pharisees having said, "This fellow doth not cast out devils but by Beelzebub, the prince of the devils;" and was specially addressed to them; but in Luke's Gospel the words are used in a general denunciation of the Pharisees, without this particular reference.

BLESSED THISTLE. (See THISTLE.)

BLIND, a term descriptive of one who is deprived of sight. The affliction prevails more largely in tropical than in temperate climates, and more in the eastern than in the western hemisphere. Comparatively few persons are born blind, the majority become so by reason of glaucoma, ophthalmia, smallpox, accidents, or diseases of the eye. (See EYE.) A person in the full enjoyment of the sense of sight imagines that the blind must be in a much more helpless and pitiable condition than the deaf. This, however, is found not to be the case; and various attempts have been made to account for it. The blind, as a class, are lively and cheerful; the deaf, shy and melancholy, often morose and suspicious; the truth being, that the deaf are far more isolated all their lives from those that hear, than the blind are from those that see. That latter are able to make up, in great measure, for their want of sight by the greater development of their other senses. By assiduous application and attention, the senses of touch and hearing become much

more delicate and acute, and it has even been said that some have been able to distinguish colours by means of touch; but this seems very doubtful. By accurately distinguishing the various kinds and modifications of sound, they are able to form correct ideas on many subjects. Much, too, depends upon the memory, which, from exercise, becomes much more retentive than in ordinary cases, and it is remarkable that they scarcely ever hurt themselves, either against furniture or in play. There is scarcely any department of human effort and knowledge in which the blind have not obtained distinction, thus James Holman, the blind traveller (born 1786, died 1857), visited almost every notable place in the world, published an account of his travels in 1825. The Rev. J. Sparrow, the blind clergyman, was elected chaplain to the Mercers' Company, London, April, 1858, and read the service, &c., from embossed books. The blind Viscount Cranborne was the author of many interesting historical essays. He died in June, 1865. On 13th July, 1865, Henry Fawcett, the blind professor of political economy at Cambridge, was elected M.P. for Brighton; for Hackney, 1874 and 1880; and was appointed postmaster-general, April, 1880. Mr F. J. Campbell (blind) ascended Mont Blanc in 1880. It is estimated that there are no fewer than 4,000,000 of blind persons in the world at the present time. Of this vast number 47,000 are in France, about 55,000 in Germany, upwards of 90,000 in Russia, about 3,000 in Holland, 6,000 in Sweden, upwards of 2,000 in Norway, and about 35,000 in the British isles. As compared with other countries, it is found that in the level portions of Europe, comprising Belgium, Hanover, parts of Germany, and the plains of Lombardy and Denmark, the average is nearly the same as that of Great Britain, being about 1 in every 1000 inhabitants. In more elevated regions, the proportion is considerably lower, except in Norway, where it is as high as 1 in every 482 inhabitants. The number of blind persons in early life is not large, less than 14 per cent. in Great Britain, being under 14 years of age (a circumstance proving that cases of blindness at birth are not common); while 50 per cent. of the number of blind persons are above 60 years of age; showing that in many cases it had arisen as an infirmity of old age. It has been thought that blindness has been increased by many of the employments followed in populous manufacturing towns, and that crowded dwellings and other circumstances attendant upon dense populations, by inducing diseases of the organs of sight, have caused a greater amount of blindness in towns than in rural localities. From the census returns, however, a much larger proportion of blind persons appear to exist in the agricultural than in the manufacturing and mining counties, and this, although the institutions for the reception and education of the blind are located in our principal cities and towns.

BLINDING, *blind-ing*, a punishment formerly inflicted upon perjurers, thieves, and adulterers, and also frequently upon the early Christians. It was performed in various ways. Sometimes boiling vinegar, or a mixture of lime and vinegar, was dropped into the eyes; often a cord was twisted round the head until the eyes started from their sockets. The most common method of administering this horrible punishment during the Middle Ages was by placing a red-hot metal basin before the eyes. A large

number of Bulgarians were blinded by the Emperor Basil in 104 A.D.

BLOCKADE, *blok-aid'*, the close observation of any port or harbour on the seaboard of an enemy's country, to prevent the entrance and egress of vessels. It is effected by stationing men-of-war at a short distance outside the blockaded port. The term is also applied to the close investment of a town or fort by an enemy, when it is difficult to capture it by bombardment or assault. A cordon of works or redoubts is established on the surrounding heights, at the distance of half a mile or more from each other, according to circumstances and the nature of the country. The great object in both cases is to starve the inhabitants and garrison into submission, and thus effect the reduction of the place besieged. Sometimes a blockade must be carried on by sea and land at the same time to render it complete and efficient; but the term is more particularly applicable to the investment or watching of a port by ships of war.

BLOCKADE, LAW OF. There are two kinds of blockade—one by the simple fact only, the other by a notification accompanied with the fact. A belligerent power blockading the ports of another country is bound to give notification of the act to neutral powers. As soon as a blockade is notified, all intercourse between the power whose ports are blockaded and neutral states is at once stopped; but a certain time is given to allow ships belonging to neutral states to clear out of the blockaded ports with the cargoes they have already taken on board, and for the merchant vessels of that power to return home prior to the date from which a strict observance of the blockade commences. By the declaration of the powers assembled in Congress at Paris in 1856, "blockades, in order to be binding, must be effective—that is to say, must be maintained by a force sufficient really to prevent access to the enemy's coast." That a blockade may be really effective, there must be a sufficient number of ships surrounding the port to render the ingress and egress of vessels either impracticable, or attended with danger of capture or destruction. After notification of a blockade has been made, it is manifestly a breach of blockade for a vessel to attempt to enter or come out from any closed port. Any vessel may be lawfully captured which is approaching the harbour with the view of running the blockade at some convenient opportunity. When any neutral vessel has managed to run the blockade, it is liable to capture until it has reached its own port, or any other in which it may take shelter; but it is still liable to be taken on again leaving that port, until the cessation of hostilities has caused the blockade to be raised. When a neutral ship is captured in an attempt to violate a blockade, or after having done so, it must be taken by the captor to the nearest harbour in which a prize-court is sitting, to determine the legality or illegality of the capture, as the case may be. If the capture prove to be illegally made, the owners can claim an indemnity for detention, and any injury done to the cargo; but if it can be satisfactorily proved that a sufficient number of ships of the blockading power are actually in the vicinity of the blockaded ports, and that the capture of the ship and cargo, the vessel and cargo are formally condemned to the benefit of the captors; if, how-

ever, it can be proved that the master of the ship is alone implicated in the breach of the blockade, while the owners of the cargo with which his vessel is freighted are not in any way privy to or cognizant of the offence, the cargo is given up; while, on the contrary, if the owners of the cargo can be proved to be the guilty parties that are guilty, and that the master or owners of the vessel have not intentionally violated the blockade, the cargo alone is taken and the vessel restored. It is perfectly lawful for neutral states to carry on intercourse with a blockaded port by any inland means of communication, and their vessels may land their cargoes at the nearest port belonging to some neighbouring power, and transmit the goods overland.

BLOOD, AVENGER OF. The nearest relative of a murdered person, whose duty it was in olden times to pursue and slay the murderer. The law of Moses did not set aside this custom, but placed it under certain regulations. (See *also* CITY OF REFUGE.) This primitive custom exists among the Arabs to the present day, and the Corsican vendetta (*q.v.*) is an illustration of the same principle.

BLOOD-BAPTISM. In the early Church, when any one suffered martyrdom without having been baptized, he was considered to have been blood-baptized; and hence martyrdom is termed blood-baptism. When baptism is regarded as essential to salvation, martyrdom is also considered as giving a title to heaven. Matt. x. 39, and similar passages.

BLOOD, CORRUPTION OF. (See AT TAINDER.)

BLOOD, EATING OF. Under the Old Testament dispensation, the eating of blood was forbidden to the Jews; obviously for reasons connected with their animal sacrifices; and in apostolic times the Gentiles were exhorted to abstain "from things strangled and from blood" (Acts xv. 20); but this last seems to have been advised in order to meet the prejudices of the Jews of that period, who were contending that the Gentiles should be commanded to keep the law of Moses. For some centuries after, the Christian Church continued to abstain from blood; and when it was alleged against them that they were in the habit of drinking human blood, they replied that it was not lawful for them to drink even the blood of animals. After the 4th century, however, the injunction came to be considered as merely of a temporary character, and so ceased to be binding. In the Middle Ages the drinking of blood was supposed to give vigour to the system. Thus, in 1483, Louis XI., in his last illness, drank the warm blood of infants hoping to restore his decaying strength. Other similar cases have occurred.

BLOOD OF OUR SAVIOUR, was an order of knighthood instituted in Mantua, by Duke Vincent Gonzaga, in 1508, on the occasion of the marriage of his son with a daughter of the Duke of Savoy. The name was derived from the belief that the church of St. Andrew, in Mantua, contained drops of our Saviour's blood. The number of knights was restricted to twenty, besides the grandmaster. The collar was formed of threads of gold, into which was woven the words *Dominus probasti*, and attached to it were two pendant angels supporting those drops of blood, and bearing the motto *Nihil isto triste recepto*.

BLOOD OF ST. JANUARIUS. When Vesuvius shows signs of an eruption, the Neapolitan priests bring out a phial containing what they term the blood of St. Januarius. The blood, previously congealed, instantly liquefies, and the people devoutly believe that this mummery prevents an earthquake. Januarius was Bishop of Benevento, and was beheaded during the persecution of the Christians under Diocletian (A.D. 303). His blood is supposed to have been collected at that time and to remain to this day.

“**BLOOMSBURY GANG,**” the name given to a political party which arose during the reign of George III., and held their meetings at Bloomsbury House, the residence of the Duke of Bedford. The last survivor, the Marquis of Stafford, died on 26th of October, 1803.

BLUE BOOKS is a name frequently given to the reports and other documents printed by Parliament, from their being usually covered with blue paper. The practice of printing their proceedings was first adopted by the House of Commons in 1681, when Sir John Holham moved that the votes and proceedings of the House should be printed, as false accounts had been circulated, and since that time they have increased and extended, till now the printed papers of a session sometimes occupy 80 or 90 large folio volumes for the Commons alone, and nearly as many for the Lords. They comprise reports of committees and commissions of inquiry, Colonial reports, accounts, and papers relating to trade and finance, the estimates and accounts of public money, the votes and proceedings of the House, public bills, &c. The papers of each Session are arranged so that they may be bound up in regular order, and have an index, by means of which any paper may be at once found.

BLUE-COAT SCHOOL, the name commonly given to Christ's Hospital, London, where the boys, according to old custom, wear blue gowns or coats. (See CHRIST'S HOSPITAL.)

BLUE GOWNS, a name commonly given to a privileged class of beggars in Scotland, who were king's bedesmen, and received a small royal bounty. (See BEDESMAN.)

BOARD, *bord* (Sax., *bord*, a table; Fr., *bureau*), ordinarily signifies a plank of wood; it is also a term applied to certain individuals who, in a collective capacity, are intrusted with the management of some public office or department. Thus, the Lords of the Treasury, the Commissioners of Customs, when met together for the transaction of the business of their respective offices, are styled the Board of Treasury, Board of Customs. It is also used to designate the persons appointed by competent authority to manage any private business or speculation, as a bank, railway, or such like; the directors of which are styled Board of Directors. (See BOARD OF TRADE, &c.) Board is also applied to the pace of sea over which a ship passes when tacking, whence come the nautical phrases, to take short boards, or storn board, or good haul, &c. It is also used thus: to be aboard a ship, is to be on the ship, &c.

BOARD OF ADMIRALTY. (See ADMIRALTY, LORDS COMMISSIONERS OF.)

BOARD OF ORDNANCE. (See ARMY.)

BOARD OF TRADE AND PLANTATIONS.—A department of the Government which may be said to have originated in 1660, when Charles II. erected two separate councils, one for trade and another for plantations. After sundry subsequent changes, the present department was established by Order of Council in 1786. In reality the board is a permanent committee of privy council, constituted for the consideration of all matters specially relating to trade and the colonies. It consists of a president, usually a member of the Cabinet, with a permanent secretary, a parliamentary secretary, and various assistant secretaries, together with certain other members, who have *ex officio* places at the board. These are the Lord Chancellor, the First Lord of the Treasury, the principal Secretaries of State, the Chancellor and the Under-treasurer of the Exchequer, the Speaker of the House of Commons, Chancellor of the Duchy of Lancaster, Paymaster of the Forces, Master of the Mint, and such officers of state in Ireland as are privy councillors in England. The board transact on their own responsibility all such general duties as relate to the trade and commerce of the United Kingdom, and advise with the other departments of the Government upon these matters. They also superintend the conduct of bills and questions before the Parliament as relate to commerce, and exercise some control over private bills so far as the protection of the public is concerned. Another department has also been added to the Board of Trade—that of the regulation and control of railways. They appoint inspectors of railways, approve or disallow bye-laws, and require detailed returns of traffic and of the rates charged. They have also the general superintendence of all matters relating to merchant ships and merchant seamen. A department for the collection of statistics was formed in connection with this board in 1832. The departments are—Harbour Marine, Railway, Finance, Statistical, and Corn Returns. Each of these departments have their secretaries. The president has a salary of £2,000; the permanent secretary, £1,800; the parliamentary secretary, £1,500; and the secretaries of departments £1,200 a year, except the chief of the statistical department and comptroller of the corn returns who receives £1,000. Attached to the board is various inspectors.

BOARDS, SACRED, were small pieces of wood which were struck together for the purpose of assembling the people to worship, before the use of bells. In some Roman Catholic countries such boards are still employed during Passion-week, as the noise of bells is considered to be unsuitable for the occasion; and they return to the bells on the first day of Easter.

BOATING, bo'-ting, a severe punishment inflicted by the ancient Persians on capital offenders, thus the condemned person being laid on his back in a boat, and having his hands stretched out and tied fast on each side of it, had another boat put over him, his head being left out through a hole made for that purpose. In this posture they fed him, till the worm, which were bred in the excrements he voided as he thus lay, entirely consumed his bowels, and so caused his death, which usually took place in about twenty days.

BOATSWAIN, bo'-sen, a warrant officer in a ship, who has charge of the boats, sails, rigging, colours, anchors, cables, and cordage. It

is the business of this officer to summon the crew to their duty, and to assist with his mates in the working of the ship. He is immediately under the captain in some of these duties, and reports to him on the condition of the boats, sails, and rigging, &c. It is necessary that he should be an able, sober man.

BOC, BOCK-LAND, OR BOOKLAND, in the Saxon time, was what we, at the present day, called freehold land, or land held by charter, which has not been made over to others either by sale or gift. The private estates of the Anglo-Saxon kings and of the higher nobility consisted chiefly of Bockland.

BODLE OR BODDLE, *bo'-del*, an ancient Scottish copper coin, of the value of two pennies Scots, or the third part of a halfpenny sterling. It is said to have been named after a master of the mint of the name of Bothwell.

BOGOMILI, *bog-om'-ile* (Slav., *bog*, God, *milui*, have mercy), the name assumed by a sect of heretics who appeared in the Greek Church early in the 12th century, and were probably an offshoot of the EUCHEITES, who gave much trouble to the Eastern Church in the preceding century. There was in their doctrines something of Gnosticism and Manichæism; but they went much farther, recognising not only two contending powers—good and evil—but asserting that the great evil power, Satanæel, was the first son of God, seated at the right hand of his Father, but who desired to be independent and led away a large number of the angels, by whose aid he created the world out of chaos, and made human beings. He could not, however, endow the first pair, Adam and Eve, with immortality, but God did so, in order that the places left vacant by the rebellious angels should be occupied by the spirits of men. Satanæel, still bent on establishing the reign of evil, seduced Eve and became the father of Cain, the first descendant of the evil principle. In later times the Jews were deceived by Satanæel, whom they believed to be Jehovah. Christ then appeared and overcame the arch-rebel, depriving him of his creative power indicated by the termination of the name, *æl*, and afterwards the designation of the evil power appears as Satan. Whether the Bogomili believed Christ or the archangel Michael to be the *Loyos*, appearing on earth with the appearance of an earthly body, is not clearly explained; but Christ is represented as taking the place at the right hand of the Father previously occupied by Satanæel. They viewed the body as the prison house of the immortal soul, and mortified it by abstaining, in order that the soul might be restored to its primitive liberty. They rejected the rite of baptism, substituting for it the laying on of hands, and placing the Gospel of St. John on the head of the convert to their faith; refused to partake of the Lord's Supper, maintaining that it was an offering to evil spirits; would have nothing to do with any symbol, not even the cross, and were opposed to marriage. The only prayer used by them was the Lord's Prayer. The members of the sect were persecuted, and their leader, Basilus, burned by the Emperor Alexius Comnenus in 1118, and in 1140 they were formerly condemned by a council held at Constantinople. Members of the sect, however, continued to exist, scattered about Philippopolis for nearly two hundred years.

BOHEMIAN BRETHREN, *Bo-hé-ma-*

an. (See MORAVIANS; also CALIXTINES, HUSSITES, and TABORITES.)

BOIL, *boi'-i*, a Celtic people who, many years before the birth of Christ, appear to have inhabited the southern part of Belgium, or the portion of France which lies contiguous to it. From this district they emigrated to the northern portions of Italy, and having crossed the Po settled in the country of the Umbrians, between the Po and the Apennines, where for many years they waged war with the Romans with varying success. They were at length dispossessed of their lands and driven back again over the Alps, when, after many vicissitudes and defeats, they found their way to the north of the Danube where they founded the kingdom Boiohemum, which, although it was overthrown, still retained its name, and is now modernised into Bohemia.

BOJAR, *bo'-yar*, a word in use among the Slavonic races, signifying a freeholder of land, and also an order of the nobility. In some of the Slavonic countries Bojars still exist, but in Russia the order was abolished by Peter the Great. Before then they held an important position in the country, being the next in order of precedence to the great ruling princes. Like the thanes in Saxon England, they had their own following, whom they led to the support of the prince of their own choice. They were of so much importance in the commonwealth that the Emperors were wont to express their ukases thus;—"The Emperor has ordered it; the Bojars have approved it." Their rank was always proportioned to length of state-service, and of this they were very tenacious. The Bojars and their singular mode of obtaining rank are quite unlike the feudal aristocracy of the West of Europe, and must be looked upon as strictly Slavonic.

BOLLANDISTS, *bol'-land-ists*, a society of Jesuits at Antwerp, celebrated from having undertaken the publication of a work entitled "Acta Sanctorum," which was to give all that was known concerning the saints of the Roman Catholic church. (See ACTA SANCTORUM.)

BOMBARDIER, *bom-bar-dier'*, a non-commissioned officer in the Foot and Horse Artillery, corresponding in rank to a lance-corporal in the line. In former times, artillerymen so entitled were especially employed in filling shells and grenades, and preparing fuses, as well as in serving mortars and other pieces of ordnance from which shells are thrown during the siege of a town. Previous to July 1st, 1881, the Bombardiers in the Horse Artillery received 2s. 2d. per day, with 1d. per day additional after two years' service; they now receive 2s. 5d. per day. The Foot Artillery Bombardiers received 2s., and now 2s. 3d. per day.

BOMBARDMENT, *bom-bard'-ment* (Ital., *bombardamento*), the act of throwing red-hot shot, shells, and congreve rockets into a fortified town, to destroy the inhabitants and buildings. A bombardment is invariably attended with terrible destruction of human life and property, and is resorted to in order to induce the commander of the garrison to save the inhabitants from death and ruin by capitulation. It finds little favour with military and naval men, on account of the misery with which such a process is attended to those who are not actually in arms against the attacking force; and is seldom

put in practice unless the place cannot be reduced by a regular siege, which technically differs from a bombardment in that during a siege the fortifications, guns, and soldiery are mainly attacked, while in a bombardment the civilians and their houses are fired upon. During the siege of Sebastopol in 1854-5, a furious bombardment of the town and defensive works was kept up for some days, at six successive periods of the investment, in the last of which, justly characterized by the Russian governor, in his dispatches to the emperor, as a *feu d'enfer*, about 28,500 red-hot shot and snells, with other missiles, were hurled into the heart of the city and against the fortifications. A bombardment is more frequently a naval than a military operation. Among the most famous bombardments mentioned in history are those of Gibraltar, by the French and Spaniards, from 1779 to 1783; Havre, by Admiral Rodney, in 1792; Lille, by the Austrians, in 1792; Copenhagen, by Lord Nelson, in 1807, and again by Lord Cathcart and Admiral Gambier, in 1807; and Algiers, by Lord Exmouth, in 1816.

BONA, *bona*, a Latin word signifying good, and in legal language applied to goods, possessions, or estates. *Bona confiscata*, goods and lands forfeited or confiscated to the Crown for certain offences against the law. *Bona notabilia*, chattels, simple contract debts, specialties, judgments, leases of houses or lands, &c., of the value of £5 (or £10 in London) possessed by a person at the time of his death. *Bona vacantia*, goods without any apparent owner; stray goods, wrecks, treasure trove, &c., which are held and belong to the Crown. *Bona vacantia*, articles "waived" or thrown away by a thief in his flight.

BONA DEA, *dei-a*, "good goddess," a Roman divinity especially worshipped by women, and variously described as the wife, sister, and daughter of Faunus, the mythical ancient King of Italy, worshipped as the god of fields and shepherds. The Bona Dea was known to her female votaries as Fanna, Fatun, or Orna. She was worshipped at Rome from the earliest times as a chaste and prophetic divinity; but the worship was so exclusively confined to women that men were not even allowed to know the name by which she was called. The first sanctuary of the goddess was a grotto on Mount Aventinus, consecrated to the goddess by Claudia, a pure maiden; but in later times another sanctuary was established between Aricia and Bovilla. Medicinal herbs were sold in the sanctuary, as the Bona Dea was supposed to possess a power of healing, emblemized by a serpent at her feet in her statue. On the first day of May there was a festival in honour of the goddess held at Rome in the house of the consul or praetor, which was especially decorated with flowers; but no male person was allowed to be in the house, and pictures and statua of men were covered by veils. The ceremonies were conducted by the vestals, and attended by the noble ladies of Rome, who wore wreaths of flowers similar to those with which the statue of the goddess was adorned. Wine (called milk for the occasion) was freely drunk by the worshippers, who also took part in Bacchic dances. Juvenal, the satirist, avers that the festivals were marked by licentious abominations; but he is not a very trustworthy authority on such a subject. The drinking of wine was in commemoration of the

goddess, who, virtuous as she was when upon earth, had a liking for wine, and drank so freely at last that Faustus killed her, but afterwards raised her to divine rank. In the year 62, Clodius, or Clandius, the son of Appius Claudius, who had been praetor, obtained admission to the festival in the disguise of a female musician, but his voice betrayed him. He was tried for the offence, stigmatized as blasphemy, but contrived by bribery to obtain a verdict of acquittal. This led to a life-long enmity with Cicero, and ultimately the violent death of Clodius.

BOND, in Law, a contract written on stamped paper by which the person (or persons) granting it, binds himself (or themselves) to pay a certain sum of money or perform any act according to the terms mentioned therein. The person who is thus bound is known as the obligor, and the person to whom the bond is given is called the obligee. When no conditions are placed in the instrument, the bond is called a *single one* (*simplex obligatio*); but there is generally, indeed in practice invariably, a condition added, that if the obligor fails to carry out the provisions of the bond, he becomes liable to certain penalties which may be enforced against the obligor, while living, and, after his death, his executor or administrator, and (subject to certain distinctions) his heir or devisee. If the condition of a bond be impossible at the time of making it, or be uncertain or insensible, the condition alone is void, and the bond shall stand single and unconditional; for it is the folly of the obligor to enter into such an obligation, from which he can never be released. But if the condition be to do a thing which is either illegal at common law, or contrary to the provision of an act of parliament, the whole bond is void; for the whole is an unlawful contract, and the obligee shall take no advantage of such a transaction. If the condition, at the time when the bond is executed, be possible and legal, and afterwards becomes impossible by the act of God, or that of the obligee himself, or becomes by any means illegal, the penalty of the obligation is, in any of these cases, saved, and the obligor discharged from all liability; for no prudence or foresight on his part could guard against such a contingency. But although the whole penalty, by breach of the condition, may become payable, the courts will confine the liability to the actual amount due, or the actual damage sustained by the breach. It is also to be noted that no persons under legal disability to contract, such as an infant or lunatic, can give bonds, and that a married woman, with certain exceptions—can neither bind herself or her husband. (*See MARRIED WOMAN'S PROPERTY ACT—HUSBAND AND WIFE*.) A bond given to a married woman is legal, as is also one given to an infant or a lunatic. In Scotland, a mortgage deed is technically described as a bond.

Bond Creditor, the term, applied to a creditor whose debt is secured by a bond.

Bond, Post Obi, is a bond in which the main condition is, that it only becomes payable after the death of some person whose name is therein specified.

BONDAGE, *bond'aj*, properly denotes a state of servitude or slavery, and by English law-writers it is used in the same sense as villenage. *Bondage by the forelock* was when a freeman renounced his liberty and became the slave of some great man, which was done by cutting off a lock of hair on the forehead and delivering it to his

lord. Such an one, if he reclaimed his liberty or escaped from his master, might be drawn again to his servitude by the nose; whence the phrase, To pull a man by the nose. The Romans had two kinds of bondmen—the *servi*, who were either bought, taken in war, or acquired in some other lawful way; and *vernie*, those born of their bondwomen. Justinian mentions a third class, called *adscriptitii glebe*, or *agricensiti*, who were a species of serfs or boors, not bound to the person, but to the ground or place, and belonged to him who possessed the land. These, by our law, are termed *villains regardants*.

Bondager, in Scotland, a rural labourer, either male or female, who is under an obligation to work at certain seasons, for current wages, for the farmer from whom he rents his cottage.

BONNET ROUGE, *bon'-nai rue*, "red bonnet," the name given to the cap of liberty, adopted by the brothers and sisters of the guillotine in France, in the terrible times of the great Revolution.

BONNET-PIECE, *bon'-net*, a Scottish gold coin of the time of James V., so named on account of the king's head being decorated with a bonnet instead of a crown. The weight of the coin was 72 grains; and from the beauty of the workmanship it is much prized by collectors.

BONZES, *bonz'-es* (Japanese, *Busso*), the name by which the priests of Buddha or Fo are usually designated in Japan. They form a very numerous class in that country, and are composed of all ranks of society. They are divided into various sects, and comprise both males and females. There are convents for the male as well as for the female bonzes, some maintained by voluntary contributions, others having their own fixed revenues. The principal moral precepts which they inculcate are five—namely, not to kill, not to steal, chastity, veracity, and abstinence from spirituous liquors. The term bonzes is also frequently applied by Europeans to the priests of Buddha in China, the Burmese empire, and other parts of eastern Asia.

BOOK OF LIFE, OR THE LAMB'S BOOK OF LIFE, is one of those descriptive phrases of which there are so many in Scripture, by means of which a knowledge of divine things is communicated by referring them to objects or customs of daily life. It was the custom with princes to have a list of all the distinguished persons about their court, or in their service; and hence, when it is said that one's name is written in the book of life, it means that he particularly belongs to God, and is enrolled among his friends and servants. On the other hand, to have one's name blotted out of the book of life signifies erased from the list of God's friends and servants, as those who were guilty of treachery were struck off the roll of officers belonging to a prince.

"BOOK OF THE WARS OF THE LORD," alluded to in Numbers xxi. 14, appears to have been an ancient document known to Hebrews, but not preserved in the sacred canon. Some writers suppose it to have been a collection of sacred odes, commemorative of the triumphant progress of God's people.

BOOR, *boor* (Du., *boer*; Ger., *bauer*), properly signifies a countryman, or one who is employed in agricultural labour; and from that it has come to be used in a secondary sense, to denote a coarse,

uneducated, clownish person. The South African farmers of Dutch descent are known as the Boers. They mostly occupy the district known as the Transvaal.

BOOT, or BOOTIKEN, *boot'-i-ken*, an instrument of torture used in former times in this country, but more especially in Scotland, in order to extort confession from persons accused of crimes. It was of various kinds. Sometimes it was composed of parchment applied moist, and then brought near the fire, so as by shrinking to cause great pain; sometimes it consisted of four thick strong boards bound tightly round either one or both legs with cords, and then tightened by means of wedges, until, at times, the bones of the unfortunate sufferer's legs were broken. There is a terrible description of the application of the torture of the boot in Scott's "Old Mortality." (See TORTURE.)

BOOTY, *boo'-te* (Teutonic, *beute*), the spoil taken from an enemy in war. The Greeks divided their booty among the army in common, reserving to the general only a larger share. By the military discipline of the Romans, spoils taken from the enemy belonged to the Republic, particular persons having no right to them. Booty among the Jews was divided in equal parts between the army and the people (Num. xxxi. 27), though, under the kings, a different mode of distribution obtained. The Mahometan practice was to allow two-thirds of the booty to the army, the other third to God, to Mahomet and his descendants, and to orphans, pilgrims, and the poor. In the English army of the present day, the victor's share is generally termed prize. According to the regulations concerning prize distribution issued in 1831, two prize-agents are nominated by letters of attorney, one of these agents being selected by the field officers, and the other by the subordinate officers. The agents collect the booty, and, having converted it into money, they pay over the proceeds to the authorities. The persons who are entitled to share in this property are named by the commander who has directed the expedition in which it was acquired. (See PRIZE.)

BORBORIANS, OR BORBORITES, *bor'-bo-rites*, a sect of Gnostics, who arose in the 2nd century, and led very licentious lives, denying the doctrine of the last judgment.

BORDARII, *bor-dair'-i-i*, a class of agricultural occupiers of land in this country, frequently mentioned in Domesday Book. They were distinct from the servi and villani, and seem to have been in a less servile condition, many of them were bound to render service to their lord, and the term is often used to denote menial servants employed in such offices on an estate. Their condition probably differed on different manors. The number of bordarii in the different English counties noticed in Domesday Book is 82,634.

BORDER, THE *bor'-der* (Ang.-Nor., the outer edge), in the earlier histories of England and Scotland, is applied to a large tract of debatable territory which lay between the two countries, the inhabitants of which were almost constantly at war with each other. Many daring feats and heroic deeds of these men have been celebrated in song and story, and furnished materials for numerous ballads and tales of fiction. The famous ballads, "Chevy Chase," and Scott's "Lay of the Last Minstrel," in

which the "moss-troopers" of the border are so conspicuous, will at once occur to the memory. The scene of Scott's "Castle Dangerous" is also cast in the border country. In order to repress in some measure the turbulence of the people, as well as to maintain some show of regal authority over them, the guardianship of the border of each country was intrusted to certain officers of high rank, entitled Wardens of the Marches. There were three marches in each country—the East, West, and Middle; and generally each march had a distinct warden, but occasionally two of them were united under one. Many fortresses were built, some of them royal castles; others only small towers, and Berwick and Carlisle were eminently border towns. The duties committed to the wardens were of a twofold character—the maintenance of law and good order among the people under their jurisdiction, and the protecting them from their enemies on the opposite border. Unfortunately the trust was usually confided to some person of great weight and influence within the jurisdiction, and they were too often private encouragers of those disorders which it was their duty to suppress. During the reigns of Elizabeth and James VI., strenuous efforts were made to repress the warlike spirit of the borderers; and after the union of the two crowns, peace was in some measure established. The most intractable of them were formed into a body of troops, and conducted by Buccleuch to the Belgic wars. The border counties were disarmed, excepting such weapons as were retained by gentlemen of rank and repute; and the moss-troopers, who continued to "harry the border," experienced in great numbers the unsparing and severe justice of the earl of Dunbar. In the civil wars of Charles I., the borderers resumed their licentious habits, particularly after the war had been transferred to Scotland; and the exploits of the moss-troopers flourish in the diaries and military reports of the time. In the reign of Charles II., we learn that they still existed, from the statutes that were directed against them; and it was only by the strict administration of justice which followed the legislative union of the two countries in 1707, that the marauding tendencies of the people were entirely repressed. In connection with the Jacobite times, the "border" again appeared in popular song, when Scott told us "all the blue bonnets are over the border."

BORDER-WARRANT, in the law of Scotland, a warrant issued by the sheriff of a county, or the magistrate of a royal burgh on the borders, for the apprehension of a person who has incurred debt in Scotland, but who is resident in England. It is granted on oath being made to the debt; but in practice these warrants are now little used.

BORING THE TONGUE, like nailing the ear, pinching the nose, branding the cheek or forehead, was a species of punishment anciently inflicted in Scotland upon criminals, but which has now long ceased.

BORO BUDDH, *bor' o bood'-dor* (the great Buddha), a ruined temple in Java, of most elaborate construction, dedicated to Buddha (see **BUDDHISM**), remarkable for being the finest specimen of Buddhist architecture that is known. The building is supposed to have been erected in the 14th century, is pyramidal in form, rising from a square base, the sides of which are 400

feet in length. The façade of the base is ornamented with a continuous bas-relief, in which various occurrences in the life of Siddhartha, the founder of Buddhism, are represented. The base itself is about 16 feet in height, and forms a terrace from 40 to 50 feet in width, to which access is obtained by flights of steps. On this platform five successive terraces, varying from 8 to 12 feet in height, and from 16 to 20 feet in breadth, rise one above another. On the edges of these terraces a great number of pinnacles and cupolas are built, the larger cupolas forming as many as 436 arched niches, in each of which a statue of Buddha, of life size, is placed. The spaces between the niches are filled up with bas-reliefs of the same nature as those which surround the base. The ornamentation of the inner sides of these rows of buildings is more diversified, and of greater minuteness in detail, than that on the outside. On the fifth terrace, which is square, corresponding in form to the base, three more, circular in form, are built, on which are placed at intervals 72 small domes, each containing a statue of Buddha. On the top of this huge terraced pile there is a dome, about 40 feet in diameter, surmounted with a spire; and immediately beneath it a sort of pit, or sunken chamber, 10 feet in depth, which is supposed to have contained some relic of Buddha.

BOROUGH, *bur'-o* (Saxon, *byrig*, a fortified house). A borough is a city or other town that sends burgesses to parliament. (1 Bl. Com. 114; Litt., s. 164; Co. Litt., 108 b; see also Reform Act, 2 William IV. c. 45, s. 79.) The word, however, was originally used in a more extensive sense. (See Co. Litt. by Hark., 108 b, n. (4).) In Jacob's Law Dictionary, v. Borough, the term is taken to mean a town sending burgesses to parliament, and *not being a city*. But see the authorities first cited; also Co. Litt., 109 a. In the Municipal Corporation Act, 5 and 6 William IV. c. 76, "borough" is used in a sense peculiar to that statute, and expresses a corporate town, whether sending representatives to parliament or not. Among our Saxon and Norman ancestors, all places which were called boroughs were fenced or fortified. The inhabitants were named *burgenses*, as opposed to *villans*, or inhabitants of a villa, or open town. The *Genot*, or assembly of the town, had the power of making bye-laws (Danish, *by*, "town"), and electing officers. In the reign of Henry II. they had great privileges. If a bondman or servant remained in a borough a year and a day, he was by that residence made a free man. Why these were called *free burghs*, and the tradesmen in them, *free burgesses*, was from a freedom to buy and sell, without disturbance, exempt from toll, &c., granted by charter. Parliament boroughs were generally by charter, or towns holden of the king in ancient demesne. English boroughs first sent representatives to Parliament in the reign of Henry III., 1265. Burgesses were first admitted into the Scottish Parliament by Robert Bruce, in 1326, and into the Irish in 1395.

Borough was the name also given to a certain division of land under the Saxon kings. A borough or tithing comprised a district containing ten heads of families, and ten tithings constituted a hundred. The head man of the borough was called the borough-head, headborough, borsholder, or tithing-man, and was answerable for the conduct of people of his borough. The ten householders of the borough formed a corporation, of which the headborough was president; and no man was allowed to reside above forty days in England without being enrolled in some borough. (See **TITHING**.)

Borough, in Scotland. (*See BURG.*)

Borough-English, is a customary descent of property situated within boroughs to the youngest son, or, if the owner hath no issue, to his younger brother, and extends to collaterals in some instances. The custom prevails in several cities and ancient boroughs, and districts of smaller or larger extent adjoining to them, in different parts of the kingdom, and governs the descent of copyhold land in various manors. A posthumous son is entitled to this privilege, dispossessing his elder brother; and should the youngest son die in his father's lifetime, leaving a daughter, she will inherit the property. (*See CUSTOM AND INHERITANCE.*) It is called borough-English in contradistinction, as it were, to the Norman customs.

Borough Fund is a fund instituted in 1835, by the Corporations Reform Act, 5 and 6 William IV. c. 56, which declares that the rents and profits of all hereditaments, the interests, dividends, and annual proceeds of all moneys, dues, chattels, and valuable securities, belonging to any borough affected by the Act, or to any member or officer thereof in his corporate capacity, and every fine and penalty for any offence against this Act, the application of which is not otherwise therein provided for, is to be paid to the treasurer of the borough, and to be carried by him to the account of a fund to be called "the Borough Fund."

Borough Justices were appointed in the reign of Charles I. By the Act 5 and 6 William IV. c. 76, they were defined to consist of the mayor, the recorder, and such other persons as the Crown might appoint by commission.

Borough Laws, a collection of ancient Scottish laws relating to boroughs, made in the 12th century, in the reign of King David I.

Borough Rate is a rate levied within a borough by order of the council of the same, when the borough fund shall not be sufficient for the necessary expenditure.

BORRELIANS, *bor-rel'-li-ans*, a sect of Christians in Holland, so called from their founder, Borrell, who was a man of some learning, particularly in the Greek and Hebrew languages. They reject all public acts of worship, public prayer, and the use of the sacraments. They assert that the Christian churches have degenerated, because they have suffered the Word of God, which is infallible, to be interpreted by fallible men. They are said to lead austere lives, and to devote a considerable portion of their goods to charity.

BORROWING, *bor'-ro-ing*, a contract under the laws of bailments (*see CONTRACT*), asking and taking a loan. (*See LOAN.*)

BOSJESMAN, *bos-jes'-man* (Dut., bushman), an exceedingly diminutive variety of the Hottentot race, perfectly uncivilized and very savage in disposition. They inhabit that portion of Africa which lies north of Cape Colony.

BOSKOI, *bos'-koi* (Gr., the grazers), was the name given to a class of ascetic monks who lived in Syria and Mesopotamia, and are said to have subsisted solely upon roots and herbs. They did not inhabit any house, and professed to spend their time in the worship of God, in prayers and hymns.

BOSTANJI, *bos-tan'-ji* (Turk., *bostan*, a garden), literally signifies gardeners, but is applied to a class of men in Turkey who, in addition to acting as the sultan's gardeners, perform a variety of other functions, such as mounting guard in the seraglio, rowing the sultan's barge, and attending on the officers of the palace. Their head or chief, the *bostanji-bashi*, is one of the grand dignitaries of the empire; he has the rank of a pasha, is governor of the seraglio and the other imperial residences, steers the sultan's barge, and has the

jurisdiction of the shores of the Bosphorus and the Sea of Marmora. This office is only conferred upon personal favourites of the sultan. The bostanji, at one time, amounted to 5,000 men, but at present their number does not exceed 600. They formerly did military duty in the field with the janissaries, and in war their strength was raised to 12,000 men.

BOTANOMANCY, *bot-a-nom'-an-cy*, divination by means of plants. The plan, sometimes adopted by girls, of picking off the petals of a flower, one by one, to see whether a certain event will or will not happen, is one way of practising botanomancy. In Goethe's "Faust," Marguerite is represented as practising it, repeating, as she scatters the petals, "He loves me, loves me not." This species of divination was anciently practised by writing a number of letters or words upon leaves, and then exposing them to the wind, when the answer was attempted to be made out of those that remained. Sometimes the noise or crackling of leaves when crushed between the hands or cast into the fire was the mode resorted to.

BOTHIE, *both'-e* (Gaelic, *bothag*, a cot), is a name given in the Highlands of Scotland to a hut, or the meanest sort of cottage; but latterly the name has come to be applied to the houses in which the unmarried farm-labourers are lodged, in different parts of Scotland.

BOTTOMRY, *bot'-tom-ry*. A bond or contract of bottomry is of the nature of a mortgage of a ship, and arises when the owner takes up money to enable him to carry on his voyage, and pledges the keel or bottom of the ship as a security for the repayment; in which case it is understood that, if the ship be lost, the lender loses the whole of his money; but if it returns in safety, then he shall receive back his principal, and also the premium or interest agreed upon, however it may exceed the legal rate of interest, it being considered in the nature of an insurance, and not usury. And this is allowed to be a valid contract in all trading nations. In this case, the ship and tackle, if brought home, are answerable (as well as the person of the borrower) for the money lent. But if the loan is not upon the vessel, but upon the goods and merchandise, which must necessarily be sold or exchanged in the course of the voyage, then only the borrower, personally, is bound to answer the contract, who, therefore, in this case, is said to take up money *à respondentia*. These terms are also applied to contracts for the repayment of money borrowed, not on the ship and goods only, but on the mere hazard of the voyage itself.

BOUGHT AND SOLD NOTES, in commercial transactions, are notes of sale signed by a broker employed to sell goods, and by which the bargain is completed. They contain the conditions of the bargain, and are afterwards delivered to the principals for implement.

BOUNDARIES OF CITIES AND BOROUGHES, *bound'-aries* (Nor., *bourne*, alim), in England, are declared by the Municipal Corporations Act, 5 and 6 Will. IV. c. 76, to be the same as those settled and described in 2 and 3 Will. IV. c. 64, being entitled, "An Act to settle and describe the divisions of counties and the limits of cities and boroughs in England and Wales, so far as respects the election of members to serve in Parliament." This act was in some points,

subsequently amended by 6 and 7 Will. IV. c. 103. Act 7 Geo. IV. c. 64, declares that when any felony or misdemeanour shall be committed on the boundaries of two or more counties, or within 500 yards of such boundaries, or shall be begun in one county and completed in another, such may be dealt with and tried in any of the counties.

BOUNDARIES OF PARISHES depended upon ancient usage, and were not limited by Act of Parliament until the passing of the statutes after mentioned; and where these have not been applied, the usage still exists; and in many places great care is taken to perpetuate the memory of the boundaries by perambulations from time to time. (See **BEATING THE BOUNDS**.) By the statute for commutation of tithes, 2 and 3 Vict. c. 62, the tithe commissioners are authorised to adjust the ancient boundaries between parishes and townships, or to define a new boundary, as they shall think fit; which adjustment is declared to be binding for all purposes whatever. And by 8 and 9 Vict. c. 118, s. 37, similar powers are entrusted, under certain circumstances, to the inclosure commissioners for England and Wales.

BOUNDARY SURVEY OF IRELAND.
(See **SURVEY, ORDNANCE**.)

BOUND BAILIFF. (See **BAILIFF**.)

BOUNDING CHARTER, OR INTEFTMENT, *boun'-ding*, in Scotch Law, is a charter or intefment which describes the lands by their boundaries or marches. Such a description confers right to all within the bounds, and, on the other hand, excludes whatever lies beyond.

BOUNTY (Fr. *bonté*), a premium paid by Government to the producers, exporters, or importers of certain commodities, with the view of encouraging the prosecution of those branches of industry. In former days grants from the national purse were given very freely to all kinds of trades; thus, there were bounties on the tonnage of vessels engaged in the whaling and herring fisheries; on the exporting of corn, with the object of encouraging agriculture; on the importation of indigo, from the colonies; and on the exportation of Irish linen; and on other industries. The system arose out of the notion that there were certain kinds of industry which it was specially the interest of the Government to encourage or to prevent from falling into decay. The system of bounties entirely ceased in this country in 1830. Bounties are often given in new settlements for the destruction of ferocious animals, as wolves, bears, &c. Some of the United States local government give bounties for tree planting, and land grants to railways. Analogous to, and closely connected with bounties, is the system of drawback of duties allowed upon the exportation of certain articles, which still continues to some extent. (See **DRAWBACK** and **SUGAR BOUNTIES**.)

BOUNTY, OR QUEEN'S BOUNTY, is a sum of money formerly given by Government to persons enlisting in the army or navy, in order to induce men to enter those services. The practice is now however (1884) discontinued, and the only bounty offered is a free kit. The term **Bounty or Queen's Bounty** is also used in the Navy to signify the prize money to which the officers and crews of H.M.'s ships of war are entitled on certain occasions of active service. (See **PRIZE, SALVAGE**.)

Bounty, Queen Anne's.—A fund originated by Queen Anne to increase the incomes of the poorer clergy of the Church of England. It consists of the profits of the first-fruits and tenths which were anciently given to the pope, and were by Henry VIII. appropriated to the crown. Queen Anne restored this source of revenue to the Church, and caused a perpetual fund to be established, the revenue of which, after payment of certain charges and pensions, was vested in certain trustees for the augmentation of poor livings under £30 per annum. This fund has been further regulated by subsequent statutes. The trustees are certain dignitaries of the Church, and other official persons for the time being, and are incorporated under the name of "the Governors of the bounty of Queen Anne, for the augmentation of the maintenance of the poor clergy." They have authority to make rules for the distribution of the fund, which are to be approved by the sovereign under sign manual.

BOUNTY, MUTINY OF THE, took place on board the *Bounty*, an armed ship which quitted the island of Otaheite (Tahiti) with a cargo of bread-fruit trees, in April, 1789. The mutineers put Captain Bligh and nineteen men into an open boat. They reached the island of Timor, near the Maluccas after a voyage of 4,000 miles. Some of the mutineers were captured, and three executed. Others, accompanied by native women, settled in Pitcairn's Island, and founded the famous colony.

BOURIGNONISTS, *boo'-reen-yo-nists*, a religious sect named after Antoinette Bourignon, who was born at Lisle, in France, January 13th, 1616. She pretended to particular inspirations, and set herself up as a religious reformer, publishing a great number of books filled with very singular notions, the principle of which appears to have been that religion was simply an internal emotion, and not a practice, nor to be founded on knowledge. She found a number of followers, one of the principal of whom was Peter Poiret, an able and learned man, who, in his "Divine Economy," attempted to reduce the substance of Bourignon's fancies to a regular system. One Dr. Gardien, of Aberteon, who wrote an apology in their favour, was condemned and deposed by the General Assembly in 1701. The ministers of the Established Church of Scotland still make a formal renunciation of Bourignonism; but other Presbyterian Churches do not consider it to be necessary. The works of Bourignon were published by Poiret at Amsterdam, 1676-84 (2nd edition 1717), and occupy 25 volumes.

BOWING TOWARDS THE EAST was the practice of the Church from a very early period. Various reasons have been assigned for this custom; as, the appearing of the star in the east at the birth of Christ; the rising of the sun in the east being emblematic of the rising of the Sun of Righteousness; the belief that Christ would make his appearance in the east when coming to judge the world. Hence it became customary to place the altar and other sacred symbols at the eastern extremity of the church. The west, on the other hand, was regarded as the place of Satan and darkness; and hence, when they renounced their sins, they looked towards the west, and then turned about to the east to make a covenant with Christ. The custom of bowing to the East, lately revived by the Ritualists, forms one of the differences in the Church of England. (See **EASTWARD POSITION**.)

Bowing the Head, in the early Christian Church, was considered as a posture of worship, and intermediate between standing and kneeling. It was observed principally in receiving the bishop's blessing, and in all

direct and formal addresses to God for His mercy and favour upon the people. In the early church it was also usual to bow the head whenever the name of Jesus occurred in the service, and in the Church of England this is still done in repeating the Creeds, the practice being supposed by some to be commanded by Phil. ii. 10, "at the name of Jesus every knee shall bow," a command regarded by others as figurative.

BOX-DAYS, in the legal phraseology of Scotland, are two days appointed by the judges of the Court of Session in each of the spring and autumn vacations, and one day in the Christmas recess, on which papers ordered by the court, or by the lords ordinary, towards the close of the previous session, are usually appointed to be lodged. The days are so called by reason of an order of the Court of Session, 29th Nov., 1690, for the prevention of the evil custom of the private solicitation of the judges. Boxes were placed in the Session-house, into which information and bills should be dropped. These boxes were looked and the judges kept the keys. The use of Box-days is unknown in England.

BOXING-DAY, in England, is the day after Christmas, and is so called from the custom of giving Christmas-boxes, or presents to servants and others, on that day.

BOYAR. (See BOJAR).

BOY-BISHOP, *boy'-bish'-op*.—Anciently, on St. Nicholas's day, December 6, it was the custom for the choir-boys in the cathedral churches, or the pupils in a grammar school, to choose one of their number to maintain the state and authority of a bishop. For this purpose he was habited in rich episcopal robes, had a mitre on his head and a crozier in his hand, and his fellows for the time being assumed the character and dress of priests, yielding him canonical obedience. They took possession of the church, and performed all the ecclesiastical ceremonies and offices except mass. With songs and dances they went from house to house in the parish to bless the people who, according to Bishop Hall, "stood grinning in the way to receive that ridiculous benediction." The office and authority of the boy-bishop lasted until the 28th, being Innocents' day. By a proclamation of Henry VIII. dated July 22, 1542, the show of the boy-bishop was abrogated; but, in the reign of Mary, it was revived, with other Romish ceremonies, to be again abolished in the reign of Elizabeth.

BRABANÇIONES, or BRABANÇONS, *bra'-ban-sau'-nyons*. Mercenary soldiers chiefly from Brabant, whence their name. They were noted for their brutality, and served principally in the English and French armies during the 11th, 12th, and 13th centuries. Sometimes they were in the service of one prince or baron, and sometimes of another; but they often acted in an independent manner, settling governments at defiance, infesting highways, pillaging the open country, and disturbing the public peace. They formed a kind of society or government among themselves, disregarding every other authority. The greatest monarchs were not ashamed, on occasion, to have recourse to their assistance; and as their manner of life gave them experience, hardihood, and courage, they generally composed the most formidable part of those armies which decided the political quarrels of princes. Henry II. of England enlisted numerous troops of them in his service; and the situation of his affairs rendered even such banditti the only forces on whose

fidelity he could repose any confidence. The name is variously written, but all the historians of the time derive it from the country of Brabant.

BRAHMA, *bra'-mai*, is the name of the Supreme Being in the religious system of the Hindoos. When the terminal vowel is short or elided, *Brahma* or *Bruhm*, it denotes the essence of the Supreme Being apart from his personal existence. This is not an object of worship by the Hindoos, but only of devout contemplation. Brahm is regarded as the Universal Spirit, the great source from which all things have sprung, and into which they will all ultimately be again absorbed. Brahmá, on the other hand, is an individual deity, an emanation from, or a creation of Brahma, and is regarded as the creator of the universe, and constituting, with Vishnu, the preserver, and Siva, the destroyer, the three principal gods of the Hindoos. Brahma does not seem to occupy now the high place that he once did in the Hindoo system. There are no exclusive worshippers of him, or temples dedicated to him alone, there is now but one place where he is periodically worshipped—viz., Pushkara in Rájputana; he only receives homage in conjunction with other deities. The Hindoos lavish their adoration upon those deities from whom they expect to derive some immediate advantage—upon those who are engaged in preservation or destruction. Brahma is usually represented with four heads and four hands, either reclining upon a lotus-tree (the emblem of creation among the Hindoos) or riding upon a swan. (See HINDOOISM.)

BRAHMA SAMAJ, *bra'-ma sa-maj'*, a Theistic church founded in India by Ram Mohan Kai, a learned Brahmin, who was born in the district of Bardwan in 1772. Having become dissatisfied with the faith in which he had been educated, and having studied the Hindoo Shastras, the Koran and the Bible, he established a society in 1816, the members of which, all Hindoos, met to recite texts from the Vedas, and sing Theistic hymns. In 1830, being more deeply impressed with the necessity of spiritual advancement, he formed a society for prayer-meetings. A building was erected, and, according to the trust-deed, was intended to be "a place of public meeting for all sorts and descriptions of people, without distinction, who shall behave and conduct themselves in an orderly, sober, religious, and devout manner, for the worship and adoration of the eternal, unsearchable, and immutable Being, who is the author and preserver of the universe, but not under and by any other name, designation, or title secularly used for and applied to any particular being or beings by any man or set of men whatsoever." No sculpture or picture was to be within the building, and no discourse was to be delivered, no prayer made, no hymn sung, "but such as have a tendency to the contemplation of the Author and Preserver of the Universe, or to the promotion of charity, morality, piety, benevolence, virtue, and the strengthening of the bonds of union between men of all religious persuasions and creeds." The founder of the church died in England in 1835. In 1841, a wealthy Bengalee, Baboo Debendro Nath Tagore, established a magazine for the purpose of diffusing the principles of the Brahma Samaj. A secession took place in 1850; but the original body have formed several branches in various parts of India, especially in Bengal. About 1860, some of the younger members, headed by Baboo Kerah

Chandra Sen, endeavoured to carry out the principles by abolishing idolatrous rites in social and domestic ceremonies, and by rejecting the distinctions of caste. The older members were not prepared for this, and a disruption took place. The "progressive party" have advanced in numbers and influence, and have built a chapel in Calcutta, which is largely attended. There are about three thousand avowed Brahmans, and many educated Hindoos sympathize with them. An interesting account of the Brahma Samaj appears in the last edition of the *Encyclopædia Britannica*.

BRAHMINISM. (See HINDOOSISM.)

BRANDENBURG, CONFESSION OF, *bran'-du-burg*, is the name given to a formula, or confession of faith, from the city of Brandenburg, where it was drawn up by order of the Elector, with a view to reconcile the differences in the tenets of Luther and Calvin, and to put an end to the disputes occasioned by the Confession of Augsburg. (See AUGSBURG, CONFESSION OF.)

BRANDEUM, *bran'-de-um*, a term used in the Middle Ages to signify the silk or linen in which the bodies of the saints, or their relics, were laid. The name was also applied to linen clothes which had been laid on the bodies, and were thus believed to be endowed with great virtues.

BRANDING, *brand'-ing* (Ang.-Sax.), a mode of punishment formerly inflicted in England for various offences. It was done by means of a hot iron applied to the face or hand. Formerly, all who were admitted to benefit of clergy were burnt with a hot iron in the brawn of the left thumb. The punishment of burning on the hand, however, being found to be ineffectual, it was changed, by 10 and 11 Will. III. c. 23, into burning in the most visible part of the left cheek nearest the nose; but this mode was repealed by 5 Anne, c. 6. It, however, continued the burning in the hand; and this last was not entirely abolished until 1822, by 3 Geo. IV. c. 38. The branding still in force for desertion from the army is not done by a hot iron, but with ink, gunpowder, or some other preparation, so as to be visible, and not liable to be obliterated. The mark is the letter D, not less than an inch in length, and is marked on the left side two inches below the armpit.

BRANDON, *bran'-don* (Ger., *brand*, fire,) a name sometimes given to the first Sunday in Lent, from the custom which at one time is said to have prevailed in many places, of the peasants passing through their orchards and vineyards on that day with lighted torches, and threatening to cut down and burn the trees if they did not bear fruit in the coming year.

BRANKS, *branks*, an instrument formerly adopted for the punishment of scolds in England and Scotland. It was of various forms, but was usually composed of several hoops of iron, one or more of which passed over the head, and one round by the mouth, into which was inserted a plate of iron so as to press upon the tongue. The whole closed behind by hinges, and was secured by a padlock. An instrument of this kind, known as "a bridle for scolds," is preserved at Walton-on-Thames.

BRAURONIA, *brau-ro'-ne-a*, festivals at Brauron, in Attica, where Diana had a temple.

Little girls, dressed in yellow, and dedicated to Diana, attended these festivals.

BRAWLING, *brawl'-ing* (Fr., *brailler*; Belg., *brallen*, to roar), in Law, is the offence of quarrelling, chiding, or unduly, indecorously, or irreverently speaking in a church (including the vestry) or in the churchyard. In the early ages of the Reformation, disturbances were too apt to arise between the professors of different religions. To repress these, the statute 5 and 6 Edw. VI. c. 4, was passed, by which it was enacted, "That if any person shall, by words only, quarrel, chide, or brawl in any church or churchyard, it shall be lawful for the ordinary of the place where the same shall be done, and proved by two lawful witnesses, to suspend any person so offending, if he be a layman, from the entrance of the church, and if he be a clerk, from the ministration of his office, for so long as the said ordinary shall think meet, according to the fault." Another Act, 1 Mary c. 3, extended the provisions. By 1 Will. and Mary c. 18, passed in 1688, it is provided that any person or persons disturbing any cathedral or parish church, or misusing any preacher or teacher, may be punished by a fine of £20.

BRAZEN BULL, an instrument of torture said to have been contrived for Phalaris, tyrant of Agregetum, 570 B.C. It was a colossal figure of a bull in the body of which were placed the victims, who were then slowly roasted to death. Phalaris himself suffered death in the Brazen Bull.

BRAZEN SEA, the name given to an immense brazen vessel made by order of Solomon for the use of the priests in the Temple at Jerusalem. It was about nine feet high and eighteen in diameter, and was estimated to contain about 15,000 gallons. It was placed on twelve figures of oxen, representing the twelve tribes. The Chaldeans broke it up and carried it to Babylon.

BRAZEN SERPENT.--The account of the healing of the Israelites from the bite of the fiery serpents by the elevation of a brazen serpent, is given in the 21st chapter of the book of Numbers. That this brazen serpent was understood by the Jews to be an emblem of spiritual deliverance seems evident, and Christ emphatically (John iii. 14, 15) pronounced it to be an emblem of himself.

BREACH, a breaking or violation of a legal right, or of an obligation or engagement legally binding. (See CONTRACT, COVENANT, TRESPASS, TRUST, &c.) *Breach of the peace* is an offence against the public tranquillity and safety. (See PEACE.) *Breach of pound* is the breaking any pound or place where cattle or goods detained for rent are deposited in order to rescue them. *Breach of promise to marry* is a subject of action for damages. (See MARRIAGE.)

BREAD, DAY OF (Lat., *dies panis*), was one of the names given in early times to the Lord's day. Chrysostom says that it arose from the general custom observed in the primitive church of meeting together on that day to break bread and to receive the communion.

BREAKING BULK, *brai'-king*, in the law of Scotland, is when a huyer makes use of an article, or a portion of it, after which he cannot object to it on the plea of inferiority, or return it to the seller.

BREASTPLATE OF THE JEWISH HIGH PRIEST. Among the ancient Jews, the breastplate formed part of the ornaments of the high priests, and was composed of richly-embroidered stuff. It was about ten inches square, and had upon it twelve precious stones set in gold, on each of which was engraved the name of one of the tribes of Israel: they were arranged in four rows, three in each row. The breastplate was fastened on the breast of the high priest, by the four corners; those at the top to each shoulder-piece, by a golden hook or ring at the end of a wreathed chain, and those below to the girdle of the ephod, by two blue strings or ribbons, which had likewise two rings and hooks. This ornament was never to be separated from the priestly garments, being designed to remind the priest how dear those tribes should be to him whose names he bore upon his heart; and hence it was called "the memorial." It was also called "the breastplate of judgment," probably because it contained the Urim and Thummim, and revealed the judgment and will of God. (See URIM and THUMMIM.)

BREHON LAWS, *bre'-hon* (Lat., *brehonicæ leges*), the ancient laws of Ireland, administered by the Brehons, who were the provincial and hereditary judges among the ancient Irish. By some writers these judges are said to have been a distinct tribe, having competent lands alloted to them in inheritance; by others to have been hereditary magistrates attached to various tribes. Their decisions were generally made in the open air, on the tops of hills; where particular spots are frequently called, to this day, Brehon chairs. In criminal cases the Brehon had the eleventh part of all the fines, which could not but be considerable at a time when murders, rapes, robberies, and the like offences, were only subject to pecuniary commutations. After the conquest, the laws of England were received and sworn to by the Irish nation assembled at the council of Lismore; and afterwards King John, in the twelfth year of his reign, went into Ireland, and carried over with him many able sages of the law; and there, by his letters patent, in right of the dominion of conquest, is said to have ordained and established that Ireland should be governed by the laws of England, which letters patent Sir Edward Coke apprehends to have been there confirmed in parliament. But to this ordinance many of the Irish were averse to conform, and still adhered to their Brehon law; so that both Henry III. (A. R. 30; 1 Rym. Feod. 442) and Edward III. (A. R. 5; 3 Pryn. Rec. 1218) were obliged to renew the injunction; and at length, in a parliament holden at Kilkenny, 40 Edward III., under Lionel, duke of Clarence, the then lieutenant of Ireland, the Brehon law was formally abolished, it being unanimously declared to be indeed no law, but a lewd custom crept in of later times; and yet, even in the reign of Queen Elizabeth, the wild natives still kept and preserved their Brehon law, which Spenser describes as being "a rule of right unwritten, but delivered by tradition from one to another, in which oftentimes there appeared great show of equity in determining the right between party and party, but in many things repugnant quite both to God's laws and man's." The latter part of this character is alone ascribed to it by the laws of Edward I. and his grandson. Spenser was wrong in speaking of the Brehon laws as an unwritten code; for several fragments of them are still in existence

in public and private libraries in Ireland, Belgium, and England. These MSS. vary in date from early in the 14th to the close of the 16th centuries; but the laws themselves are of much greater antiquity, and Drs. Todd and Graves, two eminent Irish antiquaries, trace their existence back to the days of Cormac MacArt, monarch of Ireland in the 3rd century. The greatest number of manuscripts of the *Leges Brehonicæ* brought together were those in the Chandon collection, containing twenty-two sheets and a half closely written, full of abbreviated words, and not very legible. Spenser and some modern writers have stigmatized these laws as most wicked, because murder was compounded by bribery. But the principle of pecuniary compensation for all crimes pervaded equally the Anglo-Saxon laws and those of all the German nations. A translation of these laws has been prepared by the Government, the translation and transcription being confided to Dr. O'Donovan, Professor of Celtic at Belfast, and Eugene O'Curry, Professor of Archaeology at the Roman Catholic University of Ireland. They are being published in volumes under the title "Ancient Laws and Institutes of Ireland."

BRUNNUS, *brun'-nus*, the title of several princes of Gaul, and probably a Latinised version of the cymric word *Brenhin*, which signifies king.

BRETHREN, *breth'-ren* (plural of *Saxon brother*), a term frequently applied to each other by the professors of the Christian religion. It occurs frequently in the New Testament, and was current in the early church. Subsequently it came to be applied to the complete members of the church, as distinguished from the catechumens. It came, also, to form part of the name of several religious sects; as, the Bohemian Brethren, Plymouth Brethren, &c.

BRETHREN AND CLERKS OF THE COMMON LIFE, was the name assumed by a religious fraternity that lived under the rule of St. Augustine, about the end of the 13th century. They are said to have been eminently useful in promoting the cause of religion.

BRETHREN AND SISTERS OF THE FREE SPIRIT, the name of a sect which sprang up towards the close of the 13th century, and gained many adherents in Italy, France, and Germany. They justified their name from Rom. viii. 2, 14, and maintained that the children of God enjoy through the Spirit a perfect freedom from the obligations of the law. They were pantheistic in their creed, holding that all things flowed by emanation from God, that rational souls were portions of the Deity, and that by the power of contemplation they became united to him, being thereby freed from sinful lusts and the common natural instincts, and acquiring a glorious and sublime liberty. Hence they concluded that the person who was thus absorbed in the Deity became a part of the godhead, and was freed from the obligations of all laws human and divine. They treated with contempt all Christian ordinances and all external acts of religion, as unsuitable to the state of perfection at which they had arrived; and many of them are said to have lived very licentious lives. Many edicts were published against them, but, notwithstanding the severities practised against them, they continued to exist till about the middle of the 15th century.

BRETHREN OF THE CHRISTIAN SCHOOLS (Fr., *Frères des Ecoles Chrétiennes*, also *Frères de la Doctrine Chrétienne*), a religious order instituted at Rheims in 1681, by Abbé de la Salle, and approved by Benedict XIII. in 1724. Its object was to afford gratuitous instruction to the children of the poorer classes, in the elements of religion and primary education. The members took upon themselves the vows of chastity, poverty, and obedience, taken at first for three years, and then renewed for life. This order established and superintended many schools in France, Belgium, and other continental countries.

BRETHREN OF THE [OR OUR] LORD.

It is said that there is no phrase which has given rise to more discussion than this. Who were the brethren of the Lord Jesus Christ, and what was their real relationship to Him? The names of the four persons generally understood by this term were James or Jacob, Joseph or Jesus, Simon, and Judas; but there is great diversity of opinion as to whether they were the children of Joseph by a previous marriage, whether they were, in fact, half-brothers of Christ, or whether they were younger brothers by the same mother. This latter belief is rejected by all Roman Catholic theologians and by many Protestants, although it seems the most natural. "Brethren" is also a term applied to all those who love and follow the Lord Jesus in sincerity.

BRETHREN OF THE HOLY TRINITY, an order of monks founded in France towards the close of the 12th century. They were also called Mathurines, and Brethren of the Redemption of Captives, the redemption of Christian captives from Mohammedan slavery being one of the principal objects of their institution.

BRETHREN, PLYMOUTH. (See PLYMOUTH BRETHREN.)

BRETHREN, UNITED, MORAVIAN, OR BOHEMIAN. (See MORAVIANS.)

BRETHREN, WHITE (Lat., *Fratres Albi*), the name given to the followers of a priest from the Alps, who made their appearance about the beginning of the 15th century, and were arrayed in white garments. Their leader carried about a cross, and endeavoured to persuade the European nations to renew the holy war. He practised many acts of mortification and penance, and pretended to divine revelations; and from his apparent sanctity and devotion drew together a great number of followers. He was ordered to be apprehended by Boniface IX., and was committed to the flames, upon which his followers dispersed.

BRETTS AND SCOTS, LAWS OF THE, *brets*, the name given to the code of laws in use in ancient Scotland which was proscribed by Edward I. of England, after his subjection of the country in 1305. The Bretts were the descendants of the ancient Romanized Britons, who inhabited the southern portion of the country. The Scots, properly so called, appear to have come from Ireland about the 4th century, and to have settled originally on the west coast, whence they overran the northern parts of the country. These two races became united under one king in the early part of the 12th century. Of the laws of the Bretts and Scots only a small fragment has been preserved, reprinted by Sir John Skene in his *Regia Majestas*, and more recently

in the "Acts of the Parliament of Scotland." It fixes the value of each one's life, which was called *cro*; and if he were slain it was to be paid to his kindred. Thus, the *cro* of the king was 1,000 cows, or 3,000 pieces of the coin called *ores*, each of which was equal to sixteen pennies. The king's son, or an earl, was valued at 150 cows; an earl's son, or a thane, at 100 cows; the son of a thane, 60 cows. The value of a married woman was one-third less than that of her husband; and of an unmarried woman the same as her brother. Other laws fix the amount of fine to be paid for drawing blood, according to the rank of the wounded person and the place of the wound.

BRETWALDA, *bret-waul'-da*.—After the division of England into the Heptarchy under the Anglo-Saxons, each kingdom was governed by its own monarch. It is supposed, however, that they sometimes united together under one head or chief, called the Bretwalda. He was a temporary war-king, who governed the whole of the Saxons in the seven kingdoms, and led the troops to battle against their common foes, the Celts. (See ANGLO-SAXONS.)

BREVE, OR BRIEVE, a term in Scotch law signifying a writ to a judge, in the name of the Crown, issuing from Chancery, ordering him to try by jury the question set forth in the breve. In former times they were much used, but now in only the following cases—(1), Breve of Idiocy and Furoidy, by which the judge has to determine whether a person is simply an idiot or furiously insane, and appoint a guardian; (2), Breve of Trece—to enable a widow to recover her town or dower (see TRECE); (3), Breve of Tutorship for the appointment of a guardian to an orphan; (4), Breve of Division amongst heirs portioners (see INHERITANCE, HEIRS PORTIONERS.) Breve of Inquest has recently been superseded by petition of service.

BREVET, *brevet'* (Fr., *brevet*, a writ, warrant).—Promotion in the army for distinguished service, without, however, any alteration of position in the regiment, thus, if a captain has greatly distinguished himself either in the field or on any special service, and no commission of major be vacant, he may yet be gazetted as brevet-major, i.e., he would rank as a major in the army, and be entitled to increased pay, but he would still have to fulfil his duty as captain in his own regiment. On obtaining a brevet rank of whatever degree, an increase of pay at the rate of 2s. per day extra is now granted. Since the reign of James II. it has formed part of the system of promotion in the army. Formerly it was resorted to at least once in six years; but latterly it has been conferred only on particular occasions, such as the accession of a sovereign, a coronation, the birth of a prince, the commencement or conclusion of a war, &c., and recently has been still further restricted. General promotion by brevet took place in the years 1837, 1838, 1841, 1846, 1851, and 1854, during the reign of our present sovereign; and the average increase of expense to the country at each brevet was from £15,000 to £20,000. Brevet command is a command entitling an officer to hold a certain rank within the limits of any country during a war. Thus many officers of an inferior grade in our service held rank as field officers in the Turkish contingent and Lashibazouks during the Crimean war.

BREVARY, *bré-vi-a-re* (Fr., *bréviaire*), the name of the daily service-book of the Church of Rome, so called from its being an abbreviated compilation of various books anciently used in the service. It is composed of matins, prime, tierce, sext, none, vespers, and the complines, that is, of seven hours, according to the saying of David, "Seven times a day will I praise thee;" whence it is sometimes called *Hore Canonice*, canonical hours. Originally the breviary contained only the Lord's Prayer and the psalms which were used in the divine offices, and to which were subsequently added lessons out of the Scriptures, in order to diversify the service. Various additions were subsequently made by several of the popes, with lives of saints, abounding with improbable legends. This gave occasion to a number of subsequent revisions, particularly by the councils of Trent and Cologne, and Popes Gregory IX., Nicholas III., Clement VIII., and in 1631 by Urban VIII.; as likewise by some cardinals. At first the obligation of reading the breviary every day was universal, but by degrees it came to be limited to the beneficed clergy alone, who are bound to do it on pain of being guilty of mortal sin, and of refunding their revenues in proportion to their delinquencies. The Breviary is quite a distinct book from the Missal (*q.v.*), as the latter contains the order for the service of the Mass. The edition of the breviary now in use was authorised by Pope Pius V., and his bull of 1568 is the authority of the present daily office of the Roman Church. It was compiled by the College of Sacred Rites at Rome, and subsequently revised as above stated.

BREVI MANU, *bré-ri mai'-nu* (Lat., by short hand), an expression used in Scots law to denote the performance of an act by a party on his own authority, without legal intervention. Thus, it was anciently the practice in Scotland for an horisitable proprietor on his own authority to pound a tenant's movables for payment of his rent, without an application to any judge.

BRIBERY, *brí-be-re* (from Goth., *try fa*, Sax., *bréd fæ*, a bribe). To bribe is to corrupt by gifts; bribery, the crime of giving or taking rewards for evil practices. Bribery is an offence against public justice, and is committed when a judge, or other person concerned in the administration of justice, takes any *undue* reward to influence his behaviour in his office. In the East it is the custom never to petition any superior for justice, not excepting their kings, without a present. The Roman law, though it contained many severe injunctions against bribery, as well for selling a man's vote in the senate or other public assembly, as for the bartering of common justice, yet, by a strange indulgence in one instance, it tacitly encouraged this practice, allowing the magistrates to receive small presents, provided they did not in the whole exceed one hundred crowns in the year, not considering the insinuating nature and gigantic progress of this vice, when once admitted. Plato, therefore, more wisely, in his ideal republic, orders those who take presents for doing their duty to be punished in the severest manner; and, by the laws of Athens, he that offered a bribe was prosecuted, as well as he who received one. In England this offence of taking bribes is punished, in inferior officers, with fine and imprisonment; and in those who offer a bribe, though not taken, the same. But in judges, especially the superior

ones, it has been always looked upon as a heinous offence. By a statute of Henry IV. all judges and officers of the king convicted of bribery were to forfeit treble the bribe, be punished at the king's will, and be discharged from the king's service for ever; and some notable examples have been made in parliament of persons in the highest stations, and otherwise very eminent and able, but contaminated with this sordid vice. Lord (Bacon) Viscount St. Albans, Lord High Chancellor, was fined £40,000, and sent to the Tower, declared incapable of any office or employment in the state or commonwealth, and never to sit in parliament or come within the verge of the court; but part of the sentence was afterwards remitted. Mr. Walpole, Secretary at War, was sent to the Tower in 1712; and Lord Starlingford, in 1784, was suspended from voting in the Irish House of Lords for soliciting a bribe.

In Elections for Parliament, the offence of buying votes, directly or indirectly, is one at common law, and the offender may be proceeded against by indictment. In 1854, an important act was passed consolidating and amending the laws relating to bribery, treating, and undue influence at elections, it contains some stringent provisions for securing the freedom of elections. In 1863, The Parliamentary Elections Act enacted that election petitions should be tried by a court appointed for the purpose. By the Act of 1854 an offender is made guilty of a misdemeanour, and, in addition, liable to forfeit £100 to any person who shall sue for it, if such offender shall, directly or indirectly, by himself or any other person on his behalf commit any of the specified offences. This enactment does not, however, extend to any money paid, or agreed to be paid, for or on account of any legal expenses *bona fide* incurred at or concerning any election. The member returned through bribery is liable, upon petition, to be dispossessed of his seat. Of late years, bribery at elections has met with more stringent punishment, and many members have at times been unseated, and boroughs have been disfranchised, in addition to which Mr. Justice Denman, in the latter part of 1831, sentenced to imprisonment with hard labour several persons, solicitors and others, who had been found guilty, and notwithstanding much petitioning, Sir Wm. Harcourt, the Home Secretary, refused to rescind the sentence.

Officers.—In the Customs and Excise officers and persons making collusive seizures, or taking bribes, are, by the 16 and 17 Vict. c. 107, s. 262, liable to a penalty of £500, and incapacitated from serving her Majesty in any office, civil or military; and every person offering the bribe is liable to a penalty of £200. In the court of Chancery, officers taking any fee, gift, gratuity, or emolument, other than what is allowed or directed to be taken by them, are, by 3 and 4 Wm. IV. c. 94, s. 41, liable to a penalty of 500. By the corrupt Practices Act of 1872, this offence is put on an equality with Bribery at Parliamentary Elections. The person found guilty is debarred from voting at other municipal elections and also from holding any office in the borough.

BRIDEWELL, *bríde'-well*, denotes, generally, a house of correction. The name is derived from St. Bride's Well, in Blackfriars, London, which was anciently much resorted to by pilgrims. King John had a residence near the spot which was occasionally occupied by later kings. Henry VIII. built a fine palace on the site, and the proceedings for his divorce from Katherine of Arragon took place there in 1529. On the site of this palace an hospital was founded by Edward VI. in 1553. It was given over to the city of London to be used as a workhouse for the poor, and a house of correction for the idle and vagrant. It afterwards came to be used as a place of punishment for criminals. As belonging to the city of London, it was under the control of the lord mayor, and not under the sheriff.

The New Bridewell prison, erected in 1829, was pulled down in 1864. The name was given to a prison in Tothill street, Westminster, and to prisons in other parts of the kingdom.

BRIDGES, LAWS RELATING TO.

The expense of maintaining bridges is defrayed by the public; but it is incumbent, not on the parishes, but on the counties at large in which the bridges are situate. The liability of the county extended, at common law, not only to the bridge itself, but to so much of the road as passed over it, and even to so much as formed its end or approaches; and by statute 22 Hen. VIII. c. 5, the county was bound to repair three hundred feet either way from the bridge. And such is still the state of the law as to all bridges built prior to the Highway Act, 5 and 6 Will. IV. c. 50. By this act the road itself passing over or adjoining to a bridge thereafter to be built must be repaired by the parish, or other parties bound to the general repair of the highway of which it forms a portion; the county being still subject, however, to its former obligation as regards "the walls, banks, or fences of the raised causeways and raised approaches to any bridge, or the land arches thereof." By 13 and 14 Vict. c. 61, the repairing, maintenance, and building of bridges was placed under the sole management and control of the town councils; and by 24 and 25 Vict. c. 97, s. 33, it is enacted, that whoever shall unlawfully and maliciously pull or throw down, or in anywise destroy, any bridge (whether over any stream of water or not), or any viaduct or aqueduct, over or under which bridge, viaduct, or aqueduct any highway, railway, or canal shall pass, or do any injury with intent, and so as thereby to render such bridge, &c., dangerous or impassable, shall be guilty of felony.

BRIDGE-BUILDING BROTHERHOODS, religious societies originating in the south of France in the latter part of the 12th century, for the purpose of establishing hospices at the most frequented fords of large rivers, keeping up ferries, and building bridges. The fraternity was sanctioned by Pope Clement III., in 1189. Members of the brotherhood wore, as their badge, a pick hammer on the breast.

BRIDGETINES, BRIGITTINS, OR BIRGITINES, *bridj'-e-tins*. A religious order, founded by St. Bridget of Sweden, Duchess, or Princess of Nericia, in 1344, and afterwards confirmed by Urban V. The first monastery of the order was erected at Wadstena, in East Gothland, and served as the model for others. There were sixty nuns and twenty-five monks. The order professed great mortification, poverty, and self-denial, as well as devotion, following generally the rule of St. Augustine. It spread greatly, not only in Sweden, but also in Germany, the Netherlands, and other parts of Europe. It was suppressed in Sweden at the Reformation; but there are still establishments of it in Italy, Portugal, and other parts.

BRIEF, *brief* (Lat., *brevis*, short), is a concise statement of the facts in a cause before a court, and of the evidence in support thereof, with observations of the attorney or solicitor engaged for the party on whose behalf it is prepared, and references to decided cases affecting any legal points in dispute. It forms the instructions to counsel who has the management of the cause on behalf of the client.

Brief, in the English Church, formerly denoted the sovereign letters patent authorising a collection for a charitable purpose. They were directed to be read among the notices after the Nicene Creed; but are now discontinued.

Papal Brief, a pontifical letter dispatched from the court of Rome to princes or other high personages. A papal brief differs from a papal bull in being less ample, and in being always written upon paper sealed with red wax, with the pope's private seal, the fisherman's ring; hence it concludes with *Datum Rome, sub annulo piscatoris* (given at Rome, under the ring of the fisherman). The papal bull, on the other hand, is always written upon the rough side of a sheet of parchment, and in ancient Gothic characters. (See *BULL*, *PAPAL*.) The papal brief is issued to decide affairs of inferior importance to those adjudicated upon by the papal bull.

BRIGADE, *brig-aid'* (Fr.), a term applied to a body consisting of two or more regiments or battalions; two brigades thus composed forming a division of an army sent into the field. When a number of regiments are stationed in any camp they are generally grouped into brigades. A brigade varies considerably in numerical strength, as it may include from two to six battalions of infantry, or the same number of squadrons of cavalry. A brigade of artillery consists of two or three batteries, either of foot or horse artillery, and eight men form what is called a brigade of Sappers and Miners. The term Household Brigade is applied to the household troops, consisting of the Horse-guards, Life-guards, and Foot-guards.

Brigade-Major, an officer attached to a brigade to perform duties similar to those of the adjutant of a regiment, and acts as an aide-de-camp to the brigade-general. He must be a captain or subaltern officer, and is generally selected from among the captains of the regiments forming the brigade.

Brigadier-General, *brig-a-dier*, the name given to the officer selected to take the command of a brigade. The post is generally given to one of the colonels commanding the regiments of which the brigade is composed. He holds temporary rank between a colonel and major-general.

BRITISH LEGION.—In June, 1835, the British Government permitted a suspension of the Foreign Enlistment Act in favour of the formation of a British Auxiliary Legion enlisted in this country to assist the Queen of Spain, in suppressing the Carlist Revolution. Sir de Lacy Evans, an English general of great ability and experience, was the commander, and the Legion gained several important victories over the Carlists.

BROAD ARROW, a mark formed by three lines broader at one end than the other, meeting together in a point. It is stamped or cut on all timber or metal used in her Majesty's dockyards, and on all naval stores that will bear incision or impress, belonging to the crown, that they may be identified if stolen. The origin of the peculiar mark is uncertain; but it has been stated that it was the device of the Earl of Romney, master-general of the ordnance from 1693 to 1792. It is unlawful for any one to have stores bearing the broad arrow, or any other government mark, in his possession; and an act was passed in 1848 by which a fine of £200 and costs is inflicted on any one on whose premises property so marked may be found.

BROADBOTTOM ADMINISTRATION. Earl Grauville (better known as Lord Carteret), having succeeded from the Pelham administration on the 24th of November, 1744, a new ministry was formed by a coalition between

the leaders and influential persons of different parties. It claimed to have so firm a basis that the nickname "Broad Bottom" was given to it. With some modifications the Administration remained in power for more than nine years, until the death of the Prime Minister, the Hon. Henry Polham, on the 6th of March, 1754.

BROAD CHURCH, a term applied to a section of the Church of England, which does not accept the unquestioning reverence for tradition exhibited by the High Church section, and gives a wider scope to the teaching of Christ than to the Evangelists. Perhaps the best definition of the Broad Church party is that given by a writer in the *Edinburgh Review* (October, 1853), in an article on "Church Parties":—"It is called by different names, Moderate, Catholic, or Broad Church, by its friends; Latitudinarian, or indifferent, by its enemies; its distinctive character is the desire of comprehension, its watchwords are charity and toleration. Its adherents love the Church of England for that very peculiarity which has most provoked the criticism of her detractors. She is reproached by Rome with Puritanism, by Geneva with Popery. Nay, some among her children lament that she has given too much colour to such reproaches. . . . Her catholic sons [meaning the Broad Church divines] consider this balanced and compromising character as among her greatest claims to their admiration. If they wish for any change, it is only that the same principle should be pushed still farther, for they believe that the superficial differences between Christians are as nothing in comparison with their essential agreement: and they are willing that the portals of the Church should be flung as widely open as the gates of Heaven. The doctrines taught by this party are the same in which both High and Low Church are agreed. The incarnation and the atonement, conversion by grace and justification by faith, are fundamental articles of their creed; they only differ from their brethren in believing that these doctrines have virtually been held by all Christians in every age, by Loyola and Xavier, not less truly, though less clearly, than by Latimer and Ridley. Yet, though thus willing to own the Romanists as brethren, they are sincere and even fervent Protestants. They conceive the essence of Popery to consist not in points of metaphysical theology, but in the ascription of magic virtue to outward acts; and against this idolatrous superstition they protest, whether it manifests itself in the Puritan or the Papist. Their other tenets may be generally described by saying that they embrace the positive and reject the negative side of the Anglican and the Evangelical systems. They join both in their exhortations, neither in their excommunications. . . . They infer that salvation depends not upon the ritual but the life; that the fruits of the Spirit are the sole criterion of the Spirit's presence. A characteristic feature of their theology is the prominence which it gives to the idea of the visible Church. On this point the views of the Broad party approach those of the High Churchmen, from which they differ principally in not restricting the universal commonwealth by any single form of outward government; they hold the Church to be a Society divinely instituted for the purpose of manifesting God's presence, and bearing witness to its attributes, by their reflection in its ordinances and in its members. . . . The

parochial clergy of this school look upon their essential functions to be not merely 'to preach the Gospel,' or 'to set forth the ordinances of the Church,' but to promote the highest good of every person under their charge. With this object before them, they consider their labours in the pulpit as but a small part of their office. . . . The Broad Church are to the middle of the nineteenth century, what the Low Church were to its beginning—the originators of 'ecclesiastical reform,' and the pioneers of moral progress." The members of the party generally believe the teaching of the Church may be supplemented by the results of historical knowledge and critical research, and that the religious instincts of men generally are in sympathy with the Christian revelation. Some of the dogmatic teachings of the Church, as, for instance, the doctrine of eternal punishment, some Broad Church divines do not consider to be sufficiently established. Dr. Arnold, Dean Stanley, Rev. F. D. Maurice, F. Robertson, and Bishop Colenso have been eminent members of the school of thought. In some respects the Broad Church divines may be considered as successors to the Latitudinarians of the seventeenth century. (See LATITUDINARIANS.)

BROCCAGE, *broc'-aj* (Ang.-Sax.), is the hire or commission due to a broker or agent for managing a transaction frequently of a mean or unlawful nature.

Broccage Contracts for Marriage, are contract: by which a reward is stipulated for the promotion of a particular marriage by means of exerting an influence over one of the parties. These contracts are in law held to be *contra bonos mores*, and can afford no ground of action.

BROCARDS, BROCARDICS, OR BROCARDICA, *bro'-kards*, denote properly maxims or principles in law, as the *Brocardica Juris* of Azo; but have come to be applied to maxims or proverbs generally. It is said by Vossius to be derived from the Greek term *protarchia*, first elements; but others, with more probability, derive it from Burehard, or Brocard, bishop of Worms, who made a collection of canons, called from him Brocardica; and as they abounded in short sententious sayings and proverbs, the name came to be applied to works of that description.

BROKER, *bro'-ker* (Tent., *brack*, or *wrack*, refuse or blemish), a person employed as an agent to transact business between merchants or others, usually in the interest of either the buyer or seller, but sometimes acting for both parties. Generally, brokers confine themselves to the purchase and sale of some particular articles, or class of articles, by which means they obtain a more intimate knowledge of their qualities, market value, &c., and are thus able to negotiate on more favourable terms for their employers. Brokers are of different kinds, according to the branches of business to which they devote themselves; as bill-brokers, exchange-brokers, insurance-brokers, ship-brokers, all of whom will be found noticed under their special heads in other parts of this work. In London, every person desirous of acting as a broker must be licensed by the lord mayor and aldermen for that purpose, under such restrictions and limitations as they may think fit to enact. When admitted, he must give bond, under a penalty of £500, for the faithful discharge of his duties, without fraud or collusion, and to the utmost of his skill and knowledge. He is further bound

not to deal in goods on his own account—a stipulation which is very commonly broken. Each broker pays on admission a fee of £5, and a like sum annually, so long as he continues to act. Any person acting as a broker without being duly licensed, is liable to a penalty of £200 for each transaction; but the law is frequently evaded. Every broker is bound to register regularly in a book all the contracts which he has entered into. The term broker is also usually applied to persons who buy and sell second-hand household furniture, though such an occupation bears little analogy to that which we have been describing, as these parties generally buy and sell not as agents, but on their own account. Such persons frequently superadd to their business the appraising and selling of goods distrained for rent; for the performance of which functions, however, they must provide themselves with an excise license. (See APPRAISER.)

Brokerage, *bro'-ker-aj*, is the percentage of commission charged by brokers for the sale or purchase of goods, bills of exchange, &c. (See COMMISSION.)

BROTHER, *bruth'-er* (Lat., *frater*; Ger., *bruder*), is a term denoting the relationship between a male and a male or female born of the same father and mother. When the relationship is only by one of the parents, the term half-brother, or brother of the half blood, is frequently used. A foster-brother is one suckled by the same nurse, but not born of the same parents. A brother-in-law is a relationship by marriage—the brother of one's wife, or the husband of one's sister. In Scripture, the term brother is used in a wider sense, as in the case of Abraham and Lot, Jacob and Laban, &c. It is customary for kings to style each other brother; and persons in the same profession, as judges, bishops, priests, &c., not unfrequently do so. The primitive Christians called each other brothers, and monks of the same convent usually adopt the same phraseology. Certain classes of monks were particularly called Brothers; as the monks of St. Dominic, Preaching Brothers; those of St. Francis, Minor Brothers. Lay brothers were an inferior class of monks, not in holy orders, but bound by monastic rules, and usually employed as servants in the monasteries. They were sometimes called *onters* brothers. In the Middle-Age writers, brother sometimes denotes a *comes*, or governor of a province. In a more general sense, brother or brethren is used for mankind in general; all the human race being descended from the same parents.

Laws of Descent among Brothers. (See INHERITANCE.)

BROTHERHOOD. (See FRATERNITY.)

BROTHERS AND SISTERS OF CHARITY. Associations connected with the Roman Catholic Church for the nursing of the poor and sick in hospitals, without distinction of faith, rank, or nationality. An order entitled the Compassionate Brothers, or Brothers of Charity, was established at Seville in 1540, by a gentleman of Portugal, who had served in Africa under Charles V. It included in the scope of its operations the reformation of loose women. At first it was composed of lay members; but in 1572 it was recognised by the Pope, and subjected to the rule of St. Augustine, receiving afterwards all the privileges of the mendicant order. It was divided into two brotherhoods, or congregations, one Spanish and the other extra-Spanish. Later, an extra-European congregation was formed, with a major-general in America. The *Sisters of Cha-*

rity, or Grey Sisters, an association of unmarried women, united for the alleviation of human suffering, were first established in France in 1634, by Vincent de Paul. They suffered persecution during the great Revolutionary period, but in 1800 Napoleon restored the order; and there are now more than 300 associations of the kind in France.

BROWNIE, *brou'-ne*, the name given to a supernatural being formerly believed in in the Hebrides and North of Scotland, and differing in complexion from the fairy. He was an obliging sort of elf, that used to come into houses by night, and perform lustily any piece of work that might remain to be done. At one time every family of importance believed that they had a special brownie, and they gave him offerings of the various products of the place. Thus some, when they churned their milk, or brewed, poured some of the milk or wort through the hole of a stone called the brownie's stoue. The brownie of Scotland bore a very striking resemblance to the "drudging goblin" of Milton's, "L'Allegro," the Robin Goodfellow of England, and the Kobold of German legend.

BROWNISTS, *broun'-ists*, a sect of Christians which arose in England towards the end of the 16th century, and took their name from their founder, Robert Brown, a man of University education, a preacher, lecturer, and schoolmaster. About 1581, he began to inveigh against the ceremonies of the Church of England and zealously diffused his sentiments by preaching from place to place, principally in the county of Norfolk. Being greatly opposed, he left England with a congregation which he had collected, and settled at Middleburg, in Zealand; but, quarrelling with his flock, he, three years afterwards, left them and returned to England. He again itinerated through the country, and preached with considerable success. He afterwards conformed to the established church, and obtained the rectory of Oundle; but his impetuous temper got him into trouble, and he died in Northampton jail, where he had been imprisoned for assault. His followers, however, continued to increase, so that Sir Walter Raleigh, in 1592, estimated their number at upwards of 20,000, exclusive of women and children. They were treated with great rigour, and several of them were executed in the reign of Elizabeth. Many fled to Holland, where several churches were established; as in Amsterdam, Rotterdam, and Leyden. This sect subsequently merged in the Independents, of whom Mr. Robinson, pastor of the Brownist Church at Leyden, is regarded as the real founder. The Brownists differed from the Episcopalians mainly regarding ecclesiastical order and discipline, for their theological opinions were generally conformable to the Articles of the Church. Their doctrines and Church government very much resemble those of the English Independents of the present day. (See INDEPENDENTS.)

BRUNSWICK CLUBS. In 1828, clubs under this designation, were established by the Orange party (see ORANGE) at Dublin, and afterwards in England, as the result of a great meeting at Penenden Heath, Kent. The object was to support the principles of the Revolution of 1688, and to adhere to the movement for Roman Catholic emancipation.

BUBBLES, a name given to fraudulent or unsubstantial commercial projects, which hold out prospects of speedy gain, for the purpose of

enriching the originators at the expense of ignorant and sanguine speculators. The term is generally applied to those schemes in which the funds are raised by the sale of shares, or by a subscription to a transferable stock. The name was first given to undertakings of this kind at the time of the South-Sea project. (See SOUTH-SEA SCHEME.) The Bubble Act was repealed by the statute 6 Geo. IV. c. 91; and the projectors of bubble companies are now only punishable, when they can be found guilty of fraud and conspiracy, at common law.

BUCHANITES, *buk'-an-ites*, the name of a sect of religious fanatics which sprang up in the west of Scotland about the year 1783. The founder of the sect was a Mrs. Elizabeth Buchan, the wife of a potter in Glasgow, who, from slight aberrations, at length gave herself out to be the woman spoken of in Revelation xii. She gained over to her belief the Rev. Mr. White, minister of a Relief congregation in Irvine, and many of the inhabitants of Irvine were induced to become her followers. White was represented as the man child born of the woman. They went from house to house explaining the Scriptures, praying, and testifying that the end of the world was at hand, and that it was the duty of every Christian to abandon the concerns of time and to prepare for the reception of Christ. Such proceedings led to popular tumults, and she and many of her followers were expelled from the town in May, 1784. They founded a settlement at Closeburn, Dumfriesshire, where they remained for some time. They condemned marriage, and lived in unrestrained sexual intercourse, and practised infanticide. They were encouraged to expect to be translated to heaven; and on one occasion their leader conducted them to the top of a hill, from which they were going to be taken up to heaven; but, after waiting for a considerable time, they had to return disappointed. After this many of them left the society, and Mrs. Buchan herself died in 1792; but there still remained a few survivors, the last of whom died in 1846; and in his grave were buried the bones of "Luckie Buchan," the founder of the sect, which he had preserved for more than fifty years.

BUDDHISM, *bood'-izm* (Sanskrit, *Buddha*, he to whom truth is known), a religious system which prevails over a great part of Asia, and is said to have a greater number of adherents than any other religious system among mankind, amounting, according to some geographers, to four hundred millions, or about a third-part of the human race. The system is said to have originated in India, about 600 years before the Christian era; but in the land of its birth almost all traces of it have now disappeared. It is the prevailing religion, however, of the inhabitants of the high table-land north of the Himalayas to Siberia, of China, Japan, India beyond the Ganges, Ceylon, and several islands of the Indian archipelago; is adopted by about two-thirds of the Chinese, and prevails extensively in Japan. The founder of the system is said to have been a prince of the name of Siddhartha, son of Buddhodana, king of Kapilavastu, which was somewhere on the confines of Nepal. He is called by numerous names, but the principal, that of Buddha, i.e., the wise or enlightened, does not seem to have been given to him till after he appeared as a teacher of religion. In China, Buddha has been corrupted into Fo-ta and Fo. He is said to have been equally distinguished for great beauty of person

and high mental endowments. He early gave evidence of a serious and contemplative disposition, and in order to drive away this, his father surrounded him with all the pleasures of a gay and luxurious court. At the age of twenty he married a charming princess, by whom he had two children, a son and a daughter. Earnest thoughts of the depravity and misery of human life, however, continued to engage his attention, and he conceived the idea of retiring from society and living in solitude. Guards were set over him to prevent his escape; but he at length succeeded, and took up his abode on the banks of a river called Arnasara, or Narnasara. He was now about thirty years of age, and he remained there for six years, spending his time in devout meditations. He would, it is said, remain for weeks plunged in deep abstraction, attempting to solve the mysteries of life, death, sin, goodness, wisdom, and such-like. At length he was enlightened, and came forth as a religious teacher of others. He first appeared at Warrashi (Benares), to propound his new doctrines; and for upwards of forty years he continued to preach his system, traversing a great part of north-in India, combating the Brahmins, and making numerous converts. He died in the eightieth year of his age, after having lived to see his doctrine spread all over India. After his death his chief followers assembled in council and compiled from his teaching three books, forming the "Tripitaka," or triple basket. The first is the *Sutras*, or discourses; the second, the *Vinaya*, or book of discipline; and the third, the *Abhidharma*, or book of philosophy. For several centuries Buddhism seems to have continued to flourish in that country, and to have been tolerated by the Brahmins. At length, it seems to have endured a long-continued persecution, which ultimately had the effect of entirely expelling it from the country where it had originated. What was the cause or the nature of these persecutions is unknown; but the last traces of the system disappear about the 11th or 12th century; but by this time it had taken firm root in other parts, where it still continues to flourish. Numerous remains of Buddhist temples are scattered over India; and, during the period of persecution, when they were driven from the cities, they retired among the hills of the west, and there constructed those cave-temples which, from their number, vastness, and elaborate structure, still excite the wonder of all who see them. Buddhism differs from Brahminism in the extreme simplicity of its religious doctrine, and the almost complete absence of dogmas or ritual. It is, or rather was—for it has been much corrupted by other creeds—an essentially moral system. Its object was to teach man how to attain to a pure and holy life. Hence it did not so much destroy other religions with which it came in contact, as engraft itself upon them. It did not abolish castes where they already existed, but it did not introduce them where they were unknown. Buddha admits and names a number of the Brahminical gods, but he sets the Supreme Intelligence above them. The worship of the Buddhists has been described as hero-worship. The future condition of the soul, it is maintained, depends not upon any divine judgment, but upon the inflexible operation of general laws. The future is described as one of successive trans-migrations. When a man dies, he is believed to appear immediately in a new shape, according to his merit or demerit. If his demerit would not

be sufficiently punished by a degraded earthly existence, he will be born in some one of the hundred and thirty-six Buddhist hells situated in the interior of the earth. A meritorious life, on the other hand, secures the next birth either in an exalted and happy position on earth, or as a blessed spirit, or even divinity, in one of the many heavens in which the least duration of life is about ten billions of years. But however long this future life, whether of misery or of bliss, it has an end, and at its close the individual must be born again, and may again be either happy or miserable; either a god, or it may be, the vilest inanimate object. The true heaven, however, is not a happy existence, but annihilation, or at least unconscious existence. For it is the assumption of Buddhism that human existence is a curse rather than a blessing. Misery is not a mere taint in it, the removal of which would make it happy; misery is its very essence. Some writers have looked upon Buddhism as an anticipation of Christianity; but we need only to compare the hopeless creed of the first with the triumphant creed of the other—the final triumph of good over evil, and the eternal happiness promised to the true Christian—to find how great is the gulf which separates the two systems. Buddhism has more affinity in its moral teaching with the miserable Pessimism now so prevalent in philosophy and literature. It has much, too, in common with Atheism, which, however, considers one life only as the prelude to annihilation, while the Buddhist reaches only after passing through many lives. The ritual or worship is extremely simple, consisting of offering flowers and perfume, the repeating of sacred formulas, and the singing of hymns. The temples contain only an image of Buddha and a *Dagoba*, or shrine containing his relics. Although in theory the worship is purely commemorative, no doubt in practice the figure is actually worshipped as a present god. There are no priests or clergy properly so called, but only an order of monks, who have given themselves to a life of sanctity, and who are generally very numerous. Their only public duty is to read the discourses of Buddha to assemblies of the people. They are obliged to live in celibacy; but they may retire from their order if they desire it, and are then permitted to marry. The four sublime verities, or axioms, upon which the system of Buddhism is built, are —1, that there exists pain; 2, that the cause of pain is desire, or the attachment of the soul towards certain objects; 3, that pain can be ended by Nirvana; and 4, the way that leads to Nirvana. By the practice of six transcendent perfections—alms, morals, science, energy, patience, charity, a man might hope to arrive at the state of Nirvana—repose or annihilation. Existence is viewed as a curse rather than a blessing; and the endless transmigrations through other beings that had to be endured, were causes of suffering; and hence the highest object of desire was to be delivered from the necessity of being born again. There are five moral precepts of universal obligation; viz., not to kill, not to steal, not to commit adultery, not to lie, and not to be drunken. There are others for those entering upon a religious life.

BUDGET, *bud'-jet* (Fr., *bouquet*), a bag or little sack, such as may be easily carried. It comprises also the contents of the bag or sack, and hence has come to denote a stock or store of anything; as a budget of inventions. In Parlia-

mentary language, the budget is the financial statement laid before Parliament annually by the Chancellor of the Exchequer, of the estimated public income and expenditure for the following year, commencing on the 5th April, mentioning what taxes it is proposed to repeal, reduce, or augment, and what new ones are to be imposed. In his speech on the occasion, the Chancellor reviews the financial condition of the country, comparing the income and expenditure of the previous year with those of preceding years, justifying the changes that are proposed to be made, and estimating their probable effects. The statement of the Chancellor is always looked forward to with great interest, and frequently gives rise to much excitement, as involving important changes.

BUDNĒANS, *bud-né-ans*, a sect that arose in Poland towards the close of the 16th century, and took their name from their founder, Simon Budnæus. They denied the divinity of Christ, and refused to worship him, adopting, also, many wild vagaries. Their founder was afterwards admitted into the communion of the Socinians, and his followers seem to have dispersed.

BUILDING SOCIETIES are in the nature of a joint-stock company, established to raise a subscription fund by advances, from which the members shall be enabled to build or purchase dwelling-houses, or to purchase land; such advances being secured to the society by mortgage of the premises so built or purchased. They are established upon the basis of rules provided, to be sanctioned under the provisions of the acts relating to Friendly Societies, and they are made subject in general to those acts. (See FRIENDLY SOCIETIES.) The members become shareholders by paying an entrance-fee and binding themselves to make a periodical subscription, for the most part, by monthly payments. The non-payment subjects the member to a fine limited by the rules. The members are either investors or borrowers. When the fund raised is large enough to let out, loans are made to the borrowers, and so from time to time, as subscriptions are paid in, fresh advances are made. The borrowers thus anticipate what they would otherwise receive on the termination of the society. In general, the money borrowed cannot be repaid in one sum, but only by the periodical subscriptions, the mortgage remaining a security for the payment thereof, and of the fines incurred through default of, or irregularity in, paying such subscriptions. The loan and use of the money advanced being upon the principle of compound interest, it follows that the term of the mortgage by repayment of the money, and, consequently, the duration of the company, must be limited to a given number of years. This term varies in different societies in proportion as the amount of subscriptions is greater or smaller, and generally ranges from ten to fourteen years. A society may, however, become *permanent* by the successive issuing of fresh shares; but the interest in, and liability under, each share must terminate when the time arrives for the investing member to be paid the sum fixed by the rules in respect of it, or when the borrowing member has fully paid up his subscriptions. If the security taken by the society be good and ample, the investor would obtain his money at the expiration of the calculated time; but it frequently happens that losses arise on the sale of the property under the mortgage, and the

term for payment to the investors is postponed, and their contemplated benefit much reduced. If the society be terminable, it must follow that, as the time runs out, some of the investors must be paid off. The persons to be paid are determined by lot, or some other mode provided by the rules.

BULL, PAPAL (Latin, *bul-la*, round or swelling), is a written letter issued from the Roman chancery by order of the Pope, and sealed with lead. The bull is, strictly speaking, only the seal or pendent lead, which alone gives the document its authority. It is impressed on the one side with the heads of St. Peter and St. Paul, and on the other with the name of the Pope and the year of his pontificate. Bulls are written in old Gothic characters, upon stout and coarse parchment, and are granted for the consecration of bishops, the promotion to benefices, celebration of jubilees, &c. They are either bulls of grace or bulls of justice; in the former the seal is attached by a cord of silk, in the latter by a cord of hemp.

Bull in Cena Domini, a particular bull which was read every year on the day of the Lord's Supper, or Maunday-Thurs day, in the presence of the Pope, containing excommunications and anathemas against heretics and all who disturb, oppose, or disobey the Roman pontiff. After the bull was read, the Pope threw down a burning torch in the public place, to denote the thunder of this anathema. The reading of this bull was discontinued by Clement XIV.

Golden Bull is the name given to an edict or imperial constitution granted by the Emperor Charles IV., and regarded as the Magna Charta of the German Empire. It received its name from the seal attached to it being in a gold box, and was granted by the Emperor at an Imperial diet held at Nuremberg in 1356. This bull regulated the form and ceremony in the election of emperors, determined the number of electors, with their functions, rights, privileges, &c., all of which were previously undetermined. It comprised thirty articles, and the original is still preserved at Frankfort-on-the-Maine.

BULLION, *bul'-yon*, properly signifies uncoined gold and silver, or, more strictly, refined gold and silver in bars or other masses; but in political economy the term is frequently used to denote the precious metals both coined and uncoined. The word was originally applied in France to the mint where money was coined, and came to be applied in England to the ingots of metal. There are numerous interesting questions connected with the subject of bullion, which will be found treated of in different parts of this work (as **BANKING**, **CURRENCY**, **MONEY**, &c.). At the Bank of England, all bullion of the standard fineness offered for sale must be bought at the uniform price of £3 17s. 9d. an ounce; at the Mint it is bought at the rate of £3 17s. 10½d. The term bullion is also applied to gold lace, or other trimmings in which this gold is used.

BULWER-CLAYTON TREATY, a treaty concluded in 1850 between Great Britain and the United States, Sir Henry Lytton Bulwer representing the former, and Mr. Clayton the latter, by which it was stipulated that neither power should obtain exclusive control over the proposed ship canal through Central America, or erect fortifications in any part of that country.

BUNHILL FIELD BURYING-GROUND, a large cemetery near Finsbury Square, London, named by Southery the Campo Santo of the Dissenters, on account of the number of eminent Nonconformists buried there. An act for the preservation of the ground as an open space was passed in July, 1867.

BURDEN, *bur'-den*, in Scotch Law, burden denotes generally any restriction, limitation, or incumbrance, affecting either personal or property. Burdens are thus either personal or real—personal when imposed on a person, real when imposed directly and specifically on heritable property.

BURDENSACK, *bur'-den-sac*, was a provision in the old law of Scotland, by which a man could not be punished for theft if he took as much meat as he could carry on his back, provided it was to satisfy the cravings of hunger. It is not now recognized in law.

BUREAU, *bu-ro'* (Fr., a writing-table or desk). The term is also applied to an office for transacting public or private business, and to a department of government, as the Bureau of the Interior, or the Bureau of Foreign Affairs.

Bureaucracy is applied to a government conducted by a series of independent departments, each under the superintendence of a chief, to whom alone the officials are responsible.

BURGAGE TENURE, *ber'-gajj*, is an ancient tenure proper to boroughs, whereby the inhabitants, *by custom*, hold their lands or tenements of the queen, or other person, by a rent certain. In Scotland, burgage tenure means a peculiar sort of military holding affecting property in royal burghs; but it is now merely nominal. (See **TENURE**.)

BURGER MEISTER, *bur'gair-mise-ber*. (See **BURGOMASTER**.)

BURGESS, *ber'jes* (Lat., *burgarii*).—Burgesses are properly men of trade, or the inhabitants of a borough or walled town; but the term is usually applied to the magistrates of such a town. Before the statute 5 and 6 Wm. IV. c. 76 (commonly called the Municipal Corporation Act), the title of *burgess* (or the *freedom*, as it is called) was generally acquired by birth, marriage, or servitude, that is, by being born of a freeman, by marrying the daughter or widow of a freeman, or by apprenticeship for seven years within the borough to a freeman. It might also be obtained by gift or purchase. In the boroughs comprised in the Act, the definition of a *burgess* (that is, a burgess entitled to such new rights as the act for the first time confers on these boroughs) is a male person of full age, not an alien, nor having received within the last twelve months parochial relief, or alms, or pension, or charitable allowance from the charitable trustees of the borough, who, on the last day of August in any year, shall have occupied any house, warehouse, counting-house, or shop, within the borough, during that year and the whole of the two preceding years; and, during such occupation, shall also have been an inhabitant householder within the borough, or within seven miles thereof; and shall, during such time, have been rated in respect of such premises to all rates for relief of the poor, and have paid all such rates, and all borough rates in respect of the same premises, except those payable for the last six calendar months; and shall be duly enrolled in that year as a burgess on the *burgess-roll*.

Burgess-roll.—Lists of all persons qualified to be enrolled, directed by the Municipal Corporation Act to be made only every year by the overseer of the poor of every parish, wholly or in part within the limits of a borough.

BURGH, *berj* (Goth., *burga*, a city), is a gene-

ral name given to certain towns and cities in Scotland, and corresponding to borough (which see) in England. There are *royal burghs*, *burghs of regality*, *burghs of barony*, *free burghs*, and *parliamentary burghs*.

Royal Burghs, are corporate bodies deriving their existence, constitution, and rights from royal charters. Formerly the councils of royal burghs had the right of appointing their successors, and the old and new councils together appointed all office-bearers; but in 1833, an Act of Parliament (amended by later Acts), the right of electing councillors was given to the burghesses, except in the case of nine very small burghs.

Burghs of Barony, are corporations consisting of the inhabitants of certain tracts of ground within a barony (See *BARONY*), with municipal magistracies nominated by the baron, or lord of the district, or elected by the inhabitants.

Burghs of Regality, are burghs of barony, with special privileges conferred by royal charter. Since the abolition of hereditary jurisdiction, there is little distinction between burghs of regality and burghs of barony.

Burgh Acres, in Scotland, are acres or small patches of land lying in the neighbourhood of royal burghs, usually feued out to, and occupied by burghesses, or persons resident within the burgh.

Burgh Laws (*Leges Burgorum*), an ancient collection of laws relating to burghs in Scotland, now more valuable to the archaeologist than the lawyer.

BURGHERS, *ber'-gers*, in the ecclesiastical history of Scotland was the name of one of the two bodies into which the Secession church was divided in 1747. (See *ANTI-BURGHESSES*.)

BURGLARY, *ber'-glar-ee* (Lat., *burglatro*, a robber of an enclosure), nocturnal housebreaking, which differs in law from housebreaking by day, was, by the 7 Wm. IV. and 1 Vict. c. 86, s. 4, the night is considered as commencing at nine in the evening, and concluding at six in the morning. The term burglary is generally applied to breaking into a mansion or dwelling-house; for no distant barn, warehouse, or the like, is under the same privileges; nor is a house in which no one resides, unless the inhabitant has only left it for a short season, intending to return. If the building broken into communicates with the dwelling-house, either immediately or by means of a covered and enclosed passage leading from the one to the other, the breaking into it is burglary. The offence extends to breaking into a room or lodging in any private house, the mansion for the time being of the lodger, if the owner doth not himself dwell in the house, or if he and his lodger enter by different outward doors; but if the owner himself lies in the house, and has but one outward door, at which he and his lodgers enter, such lodgers seem only to be inmates, and all their apartments to be parcel of the one dwelling-house of the owner. There must be both a breaking and entry to complete the offence, but they need not be done at once. The breaking extends to take out the glass of, or otherwise opening a window, picking a lock or opening it with a key, lifting up the latch of a door, or unloosening any other fastening which the owner has provided; or the introduction of any part of the body, or the insertion of an instrument, or stepping over the threshold, or putting in a hook to draw out goods, or a pistol to demand one's money. If a person leave his door or window open, the entering is not a burglary; but if an inner or chamber-door be unlocked, after such entry, it is so. The following acts also constitute the offence—viz., to come down a chimney, to knock at a door, and, on its being opened, to rush in with a felonious intent, or, under pretence of taking lodgings, or other-

wise, to fall upon an inmate and rob him; a servant to open his master's chamber door with a felonious design, or any other person lodging in the same house, or in a public inn, to open and enter another's door with such evil intent; or a servant to conspire with a robber and let him into the house by night. There must be a felonious intent, otherwise the entry, actual or constructive, will amount only to a trespass. The intent is a question for the jury. Whoever shall burglariously break and enter into any dwelling-house, and shall assault with intent to murder any person being therein, or shall stab, cut, wound, beat, or strike any such person, shall be guilty of felony, and shall suffer death. For common burglary, the punishment is transportation for life, or not less than ten years, or imprisonment for any term not more than three years; and in case of imprisonment, hard labour and solitary confinement may be superadded. By later statutes, it is enacted that any person found by night armed with any dangerous or offensive weapon or instrument, or with face blackened or disguised, with intent to enter any building, and to commit felony therein, or if he be found by night in any building with intent to commit a felony, he may be punished with imprisonment for a term not exceeding three years, and in case of a second conviction, may be sentenced to penal servitude for not less than three and not more than ten years.

BURGOMASTER, or **BÜRGERMEISTER**, *bur'-go-mas-ter*, is the title of the chief magistrate in a municipal town in Holland and Germany, corresponding to the English Mayor and the French maire.

BURIAL, *be'-ri-ol* (Anglo-Saxon, *birgan*, to conceal), the act of interring the body of a deceased person. Of the various modes of disposing of the dead, that of placing them in the earth appears to have been the most ancient, as it is also that which is most generally practised among civilized nations. The practice of burning dead bodies, and afterwards depositing the ashes in an urn, was commonly practised among the Greeks and Romans, and appears to have derived its origin from the dread of inhuman treatment to them after death; but the practice appears to have gone out of use during the Empire. Among the Jews the deprivation of burial was looked upon as one of the most disgraceful things that could befall a man. The Egyptians embalmed the dead, and so effective was the method employed (see *EXHALMING*) that bodies four thousand years old are still preserved in museums. Among the ancients, burials seem to have generally taken place without the cities, and this practice was followed by the early Christians. At first they had no separate burying-places, but in the time of Gregory the Great, who was bishop of Rome anno 590, inclosures around churches began to be employed for that purpose, at first, exclusively for ecclesiastical dignitaries, but afterwards for any who died in communion with the Church. There is no instance on record of a formal consecration of a burial-ground before the 6th century; and burial within churches does not appear to have taken place previous to the 7th. Monuments with inscriptions in memory of the dead were early adopted. Except in times of persecution, the Christians conducted their funeral ceremonies during the day; but in imitation of the heathens, they adopted the custom of carrying torches at

their funeral processions. The body was conducted to the grave amid the singing of hymns, and it was usual to carry in the procession palm and olive branches, as symbols of victory and joy, and to burn incense. Laurel and ivy leaves were sometimes put into the coffin; but cypress was rejected, as being emblematical of sorrow and mourning. It was also customary to strew flowers on the grave, and it was not unusual to celebrate the Lord's Supper at the grave. The distribution of alms at funerals was not uncommon. From an early period it was customary to deliver funeral orations in praise of the deceased. The primitive Church denied the more solemn rites of burial only to unbaptised persons, self-murderers, and the excommunicated, who continued obstinate and impenitent, in manifest contempt of the church censures. In the same way the burial service of the Church of England is to be read over all but such as die unbaptised, or have committed suicide, or have been excommunicated. "This office is also denied to infants not yet admitted into the Church by baptism; not so much to punish the infants, who have done no crime, as the parents, by whose neglect this too often happens." (Hook's *Church Dictionary*.) Among the people of antiquity, tombs were highly decorated. In prehistoric times, the dead were deposited in stone chambers, or later, in the bronze age, they were buried and their ashes deposited in urns. Barrows, or burial-places (see BARROW), abound throughout Europe. The pyramids of Egypt are the most stupendous burial-places in the world, and some of the grandest buildings which have survived from remote ages were tombs. An attempt has been made in recent years to revive the practice of burning the dead (see CREMATION), but it has not met with much acceptance. Another method known as the "earth to earth" system, the bodies being interred in light wicker coffins, which would rapidly decay, has also been recently advocated.

Burial Acts.—In consequence of the overcrowded state of graveyards in the metropolis, an Act was passed, called the Metropolitan Interments Act, 1850. This was repealed by the 15 and 16 Vict. cap. 85, 1852. The object of the Legislature was to effect a discontinuance of intermural interments, and to empower vestries to establish burial-grounds for parishes, and enforce regulations of a sanitary character (see CEMETERIES). Several other Acts relating to the subject have been since passed, whereby the objects proposed to be carried out in the city of London were extended to the provinces. These Acts are the 16 and 17 Vict. c. 134, the 17 and 18 Vict. c. 87, and the 19 and 20 Vict. cc. 79 and 128, and the whole are amended by the 20 and 21 Vict. c. 81, the 22 Vict. c. 1, and the 23 and 24 Vict. c. 64. These Acts are carried into effect by burial boards, which are appointed in the manner prescribed by the leading statutes, and they are subject to the control of the Secretary of State for the Home Department and orders of Council. In September, 1880, the Burials Act was passed, permitting Dissenters to hold Christian funeral services in a parish churchyard.

Burial Societies. (See FRIENDLY SOCIETIES.)

Burials, Registration of. (See REGISTRATION.)

BURNING ALIVE, a terrible punishment, inflicted among the Romans, Jews, and other nations; and in the case of Jews and other heretics sanctioned by Papal authorities. Many of the most eminent Knights Templars suffered in this way; the Inquisition burned thousands in this country, especially in the reign of Mary, the punishment was common, hundreds of Protestants dying at the stake. It was, in the Middle Ages, and during the mania for witch-finding in

the Stuart times in this country and in New England, commonly inflicted on women suspected of being witches. In France, the Countess Brinvilliers, the poisoner, was one among many who were burned to death. In this country, the punishment of burning for women remained in the statute books till 1790, but the criminals were generally strangled before their bodies were burned. The last woman executed in this way was Christian Murphy, *alias* Bowman, on the 18th of March, 1789, for coining.

BURNING THE DEAD. (See BURIAL and CREMATION.)

BURNT-OFFERING. (See SACRIFICE.)

BURSARII, *bur-sar'i-ri-i* (Lat., *bursa*, a purse), the receivers or accountants at the bur-saria, or exchequer, of collegiate or other conventual bodies.

BURYING ALIVE.—Some of the nations of remote antiquity, especially the Persians, adopted this mode of punishment. Sometimes, as in the case of Amestris, the wife of Xerxes (who so entombed fourteen little children), as the practice was supposed to be a propitiation of the gods. Vestal Virgins of Rome who broke their vows, were buried alive, and so were nuns who were suspected of unchastity.

BY-LAW, *bî'-law*, is a private law made by those who are duly authorized to do so by charter, act of parliament, prescription, or custom, for the preservation of order and good government within some particular place or jurisdiction. If made under an act of parliament, by-laws must be sanctioned and approved by the secretary of state, or some public board to whom the act gives authority for the purpose, and they are then as binding as enacted laws. They must not be against the public policy of the law, and must be reasonable. Joint-stock companies and other such bodies are empowered by their charters or deeds of settlement to make by-laws, which are binding on the shareholders.

BYRLAW, or **BURLAW**, *bîr'-law*, a law formerly in use in Scotland for settling disputes between villagers and husbandmen, who chose judges from their own ranks. The name byrlawmen is still given in some parts of Scotland to arbitrators or umpires.

BYZANTINE, GREEK, OR EASTERN EMPIRE, are designations given to the Eastern Roman empire, founded on the death of Theodosius, the Great, A.D. 395. This monarch divided the Roman Empire between his two sons, Arcadius and Honorius, giving to the former the eastern portion, comprising, in Asia, Syria, Asia Minor, and Pontus, to the shores of the Black Sea; in Africa, Egypt; in Europe, Thrace, Moesia, Macedonia, Greece, and Crete. Seventy-three Emperors of the old race reigned before 1204, when, the Latins, having conquered Constantinople, five emperors of that race held supreme power of Constantinople; but in 1261, Constantinople was recovered and the Greek emperors restored. The last emperor was Constantine Palæologus, who was killed in 1453, when Constantinople was captured by the Turks.

BYZANTINE CHURCH, comprehends collectively all those churches which acknowledge the supremacy of the œcumenical patriarch of

Constantinople. The adherents of this church are comprised almost entirely within the limits of Turkey, Greece, and Palestine, and are altogether estimated to amount to about 3,000,000.

BYZANTINES, the coins of the Byzantine empire. They are of gold, silver, and bronze, and were current in the north of Europe and in India. (See **BEZANT**.)

C.

CAABA. (See **KAABA**.)

CABAL, *ka-bal* (Fr., *cabale*), a number of persons united together for some secret design, usually to promote their own private views in church or state by intrigue. It differs from party as being usually composed of a few persons, and it generally implies secrecy and intrigues. In history, it is a name given to the ministry of Charles II., consisting of five men famous for their intrigues, and the initial letters of whose names form the word *Cabal*—viz., Clifford, Ashley, Buckingham, Arlington, and Lauderdale. The name did not originate with this ministry, however, but was only ingeniously applied to it, being derived originally from *cabale*, a French word of the same signification.

CABALLARIA, *kab-ba-lai'-ri-a*, in feudal times denoted lands held by the tenure of furnishing a horseman with suitable equipment during war, or when the lord had occasion for him.

CABBALA, *kab'-ba-lu* (Heb., *kibbet*, to receive), a term applied to a species of theology and philosophy made up of mystical interpretations and metaphysical speculations concerning the Deity and other beings, said to have been handed down by a secret tradition from the earliest ages. Some of the rabbins pretend that the origin of the Cabbala is to be referred to the angels, and that the angel Raziel instructed Adam in it. According to the Maimonides, God, when he delivered the law to Moses, gave him also an "inner" or mystical explanation of it. This explanation he communicated to Aaron and the elders, and it was afterwards handed down traditionally from father to son. In truth, these explanations of the law are only the interpretations and decisions of the rabbins on the law of Moses, in the framing of which they studied principally the combinations of particular words, letters, and numbers, and by that means pretended to discover the true sense of the difficult passages of Scripture. The Cabbala is divided into the symbolical and the real. The former consists in seeking abstruse and mysterious significations in a word by attributing certain values or meanings to the letters which compose it. The real, which is opposed to the symbolical, and comprehends doctrines, is divided into the theoretical and practical. The aim of the theoretical is to explain Scripture according to the secret traditions, and to form therefrom a philosophical system of metaphysics, physics, and pneumatology. A system of numbers, in which the letters of the Hebrew alphabet have numerical value, is conspicuous. The practical, on the other hand, pretends to teach the art of performing miracles by an artificial application of the divine names and sentences of Scripture. Some of the Jews assert that Jesus Christ wrought his miracles by virtue of the mysteries of the Cabbala. Between the 12th and the 15th centuries, many cabbalistic works were composed, the most important being the *Sohar*, written in the 13th century, but at-

tributed to Simeon-ben Joachai, a learned Jew, who lived a short time before the destruction of Jerusalem by Titus. The *Sohar* was adopted as the book of instruction for the Cabbalistic neophytes. Several modern scholars have given great attention to the study of the Cabbalistic literature.

CABINET, *kab'-i-net*, a closet or retired apartment; also a private room in which consultations are held. In the abode of a prince, the cabinet was an apartment where he transacted the business of the state, advised with his privy counsellors, and issued his decrees. In this country, the privy council was formerly the adviser of the king in all weighty matters of state; but, by degrees, a selection of the members of this body came to be made by the king for more private advice, and at length, in the reign of William III., the distinction of the cabinet from the privy council, and the exclusion of the latter from all business of state, became fully established, but, as a body, the cabinet has no constitutional or legal existence. It is only a selection from the great body of privy counsellors. The first lord of the treasury, the lord chancellor, chancellor of the exchequer, president of the privy council, and the secretaries of state, now five in number, have always seats in the cabinet, and with them are associated their chief colleagues in the ministry, presiding over other important departments of the Government.

CABIRI, *kab'-e-ri*, the name given to mystical deities of antiquity venerated in Egypt, Phœnicia, Asia Minor, and Greece, but of whose nature and functions little is known. In Greece, their rites were performed with great ceremony in Samothrace, Lemnos, and Imbros; in Asia Minor at Pergamus; in Phœnicia at Berytus; and in Egypt at Memphis. Their names, number, character, and other particulars, are given so diversely by different authors that little can be affirmed with certainty regarding them; but they are sometimes identified with the Dioscuri (Castor and Pollux), and were supposed to have the power of protecting life at sea, the symbol of their presence being the St. Elmo fire. The festivals celebrated in honour of the Cabiri were called *Cabiria*.

CACHET, LETTRES DE, *kash'-ai*, were secret warrants proceeding from, and signed by, the kings of France, and countersigned by a secretary of state, by which any person could be imprisoned or banished to a certain place without any reason being assigned. The introduction of them is ascribed to the famous Capuchin Padre Joseph, under the ministry of Cardinal Richelieu. They were also called *lettres closes*, or sealed letters, to distinguish them from *lettres patentes*, or public documents. During the reign of Louis XIV. *lettres de cachet* might be obtained by any one who had influence with the king or his ministers, and were frequently resorted to as a means of gratifying private revenge. During the

reign of Louis XV. they were often given away to favourites as *cartes blanches*, with only the king's signature, so that any names might be inserted.

CACIQUE, *kai-seek'*, the title given to the native chiefs in some parts of central and southern America at the time of the conquest by the Spaniards; it signifies "lord" or "master."

CACODEMON, *kak-o-de-mon* (Gr., *kakos* bad, and *daimon*, demon), denotes an evil or mischievous demon or spirit. (See DEMON.)

CADARI, or **KADARI**, *kud-a'-re*, a sect of Mohammedans, who assert free-will in opposition to fate, deny the existence of any secret power in determining the will, and reject all absolute decrees and predestination. The author of this sect was Mabad ben Kaked al Giboni, who suffered martyrdom for his belief.

CADET, MILITARY, *ka-del'* (Fr., younger in service, a junior), a youth studying for the army. In a general sense, the word is also applied to the younger member of a noble house and is allied in derivation to cadency; in the French army any officer serving under another is a cadet to him. In English, however, the term is now understood to mean a youth training for an officer's commission in the army. In former days, when the East India Company possessed both military and political power in India, upwards of 5,000 officers were in their pay, and these had for the most part been professionally educated by the Company. A youth was nominated by the Directors, and having passed a test examination in ordinary English education, was admitted between the age of 14 and 18 to the Company's college or school at Addiscombe, where, if he passed a probation of six months satisfactorily, he entered upon a two years' course of study, after which, if he passed through this period with credit, he became a cadet in the Company's service, receiving a salary, and being eligible for service in India as opportunity might arise. This system underwent several changes in the course of time, by the introduction of competition in this matter of appointments to the college, and by the transference of the Company's powers to the Crown, and finally ceased in 1861. The system was then altered to enable young men to enter for a course of study at Sandhurst College, at Woolwich Academy, and at the Staff College, whence, after passing required competitive examinations, they received commissions in the army; while at these colleges they were called cadets, and some who were educated gratuitously by reason of special services rendered by their fathers, were known as Queen's Cadets. The cadet system was so considerably altered in 1870, as to be almost abolished, and the great majority of first appointments are now given to the successful candidates in a competition, examinations being held periodically for that purpose by the Civil Service Commissioners, when they are afterwards sent to the Cadets' College at Sandhurst. (See also CADETS' COLLEGE.)

CADET, NAVAL, an officer of the lowest rank in the British navy. On being appointed to a ship, every captain is permitted to nominate one cadet; and every flag-officer on receiving his flag can appoint two. The first lord of the Admiralty appoints all the rest, who are subjected to competitive examination. The candi-

dates, who enter the service at the age of 12 or 14, are examined at the Royal Naval College at Greenwich. If they pass their examination in a satisfactory manner, they are sent to a training ship at Plymouth or Portsmouth, in order to learn seamanship, &c. If they do not make sufficient progress at this stage, they are rejected; but if they give satisfaction, they are put on board sea-going vessels. The cadet becomes a midshipman after serving satisfactorily three months in a training ship and fifteen in a sea-going ship. The pay for a cadet is a shilling a day.

CADETS' COLLEGE. In 1853, a college thus designated was established at Sandhurst, having for its objects the military education of youths desirous of holding officers' commissions in the army. Sub-lieutenants' commissions are now styled student officers, who have passed a year with their regiments are now sent to Sandhurst for a year's training, and after passing certain examinations satisfactorily, return to their regiments and are eligible for their promotion to the rank of lieutenant.

CADI, or **KADI**, *ka-de*, an Eastern word signifying one learned in the law, one who decides in judicial matters—*qadi*, law, one who decides in inferior judge among a judge. The cadi nations, and is established the Mohammedan villages; while the Mollahs in the towns and over a province. Both, or superior judge, is higher ranks of the profession are chosen from the founded on the Koran. Priesthood, as all law is

CADIZADELITES, *kai-diz-ai'-de-lites*, a sect of Mohammedans, who resemble the ancient Stoics, assuming an unchangeable gravity of manner and avoiding all feasting and amusements. They receive both the Bible and the Koran, assimilate in many things to the Christians, and believe that Mohammed was the Holy Ghost whom Christ was to beget.

CADRI, *kad-ri*, an order of Mohammedan monks named after their founder, which, however, they may dwell in monasteries, and marry, on condition of giving when they please on their garments, to distinguish them from the rest of the people.

CÆSAR, *se-zar*, a title borne by all the emperors of the ancient Roman empire. After Julius, the first and greatest of them, the title Augustus Cæsar was given to the reigning emperor, and that of Cæsar to the heir-apparent. The modern imperial titles, Kaiser and Czar, are derived from Cæsar.

CAGOTS, *ka'-pots*, a tribe of wanderers with manners, &c., like those of gypsies, found scattered in various parts of France, and supposed to be the descendants of the Visigoths who remained in France after their defeat by Clovis in 507. Formerly they were forbidden by law to practise any but the most menial trades, and were even forced to enter the churches by separate doors. Since the Revolution of 1790, they have been regarded as equals by the law but socially they are still looked upon as a despised and degraded race.

CAIMACAN, or **KAIMACAN**, *kai'-ma-kan*, a dignity in the Ottoman empire answering to that of lieutenant, or lieutenant-governor, among us.

CAINITES, *kain'ites*, a heretical sect of the pseudo-Gnostics that arose in the 2nd century, and took their name from Cain, whom they reckoned worthy of special honour. They invented an explanation of his crime, believing that he was the offspring of a superior power and his punishments were the persecutions of Abel's father, that is, the Jewish God. For this reason they also looked with favour upon all the wicked persons mentioned in Scripture, even Judas Iscariot, whom they regarded as worthy of praise from having caused the death of Christ, and thereby saved the world.

CALATRAVA, ORDER OF, *kal-a-tra'-va*, an order of knighthood founded by the Abbe Raymond, after the rules of the Cistercians, in 1153, when Sancho III., king of Castile, transferred to him the city of Calatrava. In 1163, the knights, under Don Garcia de Redon, separated themselves from the monks, and were afterwards confirmed by the Pope. In 1197, Calatrava was taken by the Moors, and the knights transferred their seat to the castle of Salvatierra, and called themselves after it. After the death of their twenty-ninth grand master, De Padilla, 1486, the choice fell several times upon the king, and in 1523 the Pope made the office of grand master hereditary to the crown, and allowed the knights to marry. Though long one of the most honourable and distinguished of the orders in Spain, they never attained to great wealth, but they were possessed of great influence in the state. Two convents for nuns were attached to the order, and at one time were richly endowed. The nuns wore the dress of the Cistercian nuns with the cross of the order on the left side, and were known as "the black commanders." The order has lost most of its possessions, and, at present, is little more than an order of rank. The robe of the order is now a white mantle with a red cross on the left breast.

CALENDARS, *kal'en-dars*.—Certain books preserved in the churches, containing the memorials of the days on which the martyrs suffered. Afterwards confessors, and other distinguished Christians who had not arrived at the glory of martyrdom, were also admitted to this honour. The principal work of this kind is Asseman's "Calendar of the Universal Church," illustrated with notes.

Calendar of Prisoners.—The official name of the lists of prisoners in custody of the sheriff of the county, prepared for the assizes.

Ecclesiastical Calendar.—The Church year begins at Advent (which see). The dates of the movable feasts depend on the date on which Easter falls (see EASTER), which also regulates the number of Sundays after the Epiphany, and of the Sundays in Lent. Certain fixed dates are known as *Sancti Days*.

CALENDARUM FESTUM, *kal-en'-dar-um, fes'-tum* (Lat., Feast of the Calends) were heathenish festivals celebrated on the calends of January, and afterwards adopted by the early Christians. They were observed in the churches with masks, and were attended with singing, dancing, and gross indecencies. Fathers and councils long laboured in vain to put down these festivals; and Tertullian, Chrysostom, and Augustine have declaimed in the very strongest terms against them.

CALENDARUM FRATRES, brethren of the Calends, a religious society, which originated about the 12th century, and took its name

from the custom of assembling together in various places on the first day of each month to regulate the observance of the ensuing feasts, distribute alms, &c. It spread over France and Germany, but afterwards, having given rise to abuses, it was abolished.

CALENDERS, *kal'en-ders*, a Mohammedan sect, which take their name from Santon Calendri, their founder. They preach in the market-places, and live upon what their hearers are pleased to bestow; but they are distinguished more by free living than austerities, and are held in little esteem. Calenders appear as characters in some of the tales of "The Thousand and One (or Arabian) Nights."

CALF, GOLDEN, *kalf*, an idol set up and worshipped by the Israelites at the foot of Mount Sinai, in their passage through the wilderness to the land of Canaan. The history is related in the 32nd chapter of the book of Exodus, the choice of a calf or the form of the idol probably originated in a remembrance of Aps the ox god of the Egyptians. (See ARTS.) Calf-worship was at a later period adapted by Jeroboam, King of Israel.

CALIF, CALIPH, or KALIF, *kal-ihf*, the title assumed by the successors of Mohammed in the supreme power. It was first adopted by Abu Bokr, his immediate successor, and continued for a number of centuries to be the title of the principal line of sovereigns. The term *califate* was employed to designate the empire under the sway of the califs. The empire reached its greatest power and splendour during the latter part of the 8th and the beginning of the 9th century of our era, under the califs Mansur, Harun-al-Raschid, and Mamun. Even then, however, the empire was beginning to show symptoms of decay, and, under Mamun's successor, Mostasem, Turkish soldiers were employed for the first time in the army. Under his successors, these came to be a formidable power in the empire, and at length assumed the right of deciding the succession to the throne. Independent dynasties sprang up in different parts of the empire, and even within the capital and provinces that continued faithful, the authority of the calif was little more than nominal. In 1258, "after a siege of two months, Bagdad, the capital, was stormed and sacked by the Moguls, and their savage commander pronounced the death of the caliph Mostasem, the last of the temporal successors of Mohammed, whose noble kinsmen of the race of Abbas had reigned in Asia above 500 years."—(*Gibbon*.) The nephew of the murdered Mostasem fled to Egypt, where he retained the title of calif, under the protection of the Mamelukes, and bequeathed the honour to his successors. When the Turks conquered Egypt, in 1517, the last of the nominal califs were carried to Constantinople, and since that time the Turkish sultans have assumed the title of calif, and claimed to be regarded as the spiritual head of the Moslems.

CALIXTINES, *kal-ik-s-tines* (Latin, *calix*, a cup), a Bohemian sect which sprang up among the Hussites, and received their name from holding that the communion-cup should be given to the laity as well as the clergy. Their confession of faith, drawn up in 1421, contained the following articles:—1, The Word of God should be freely, and without hindrance, regularly preached by the priests of the Lord, throughout Bohemia; 2, the sacrament of the holy communion, the

wine as well as the bread, should be freely administered to all Christians burdened by no mortal sins, according to Christ's institution; 3, the clergy should be separated from secular affairs, and should conform themselves to the life and teaching of the apostles; 4, that all mortal sins, and especially such as are of a public nature, as simony, unchastity, and the like, and all others that are contrary to the law of God, should be judged of and punished by those having authority over such matters. They were the more moderate of the followers of John Huss, being opposed to the more extreme sect of the Taborites. They subsequently became the dominant party in Bohemia, and exercised considerable influence over public affairs. From the beginning of the 16th century, however, they gradually lost their importance, and came to share in the fate of the Protestants generally in Bohemia. (See MORAVIANS.) The name is also given to the followers of George Calixtus, a Protestant divine of the 17th century, who endeavoured to unite the Romish, Lutheran, and Calvinistic churches in the bonds of charity and mutual benevolence. He maintained that the fundamental doctrines of Christianity were preserved pure in all three communions, and that the tenets and opinions that had been constantly received by the ancient doctors during the first five centuries, were to be held as of equal weight and authority with the express declarations and doctrines of Scripture.

CALL, *kal'*, is a term used in Theology in a variety of significations. In a general sense, it denotes God's invitation to man to accept of the offer of salvation. *Effectual calling* is said to be "the work of God's Spirit, whereby, convincing us of our sin and misery, enlightening our minds with the knowledge of Christ, and renewing our wills, he doth persuade, and enable us to embrace Jesus Christ, freely offered to us in the gospel." *Call to the ministry*, is said to be twofold, either outward, when one is judged qualified to hold office in the church, and is admitted thereto in due form; and inward, when one is inwardly moved thereto by the Holy Spirit. This inward call should precede, and is required by the Church, as a qualification for the outward. *Call*, among Presbyterian churches, is applied to the invitation given by a church to one duly qualified to become their pastor.

CALL OF THE HOUSE, in Parliamentary proceedings, is an imperative summons, issued to every member of either house, to attend on some particular occasion, when important matters are to be brought before them. In the House of Lords, when any urgent business is deemed to require the attendance of the Lords, it has been usual to order the house to be called over; and this order has sometimes been enforced by fines and imprisonment upon absent lords. The most important occasion on which the house was called over in modern times was in 1820, when the bill for the degradation of Queen Caroline was pending. The house then resolved "that no lord do absent himself on pain of incurring a fine of £100 for each day's absence, pending the three first days of such proceedings, and of £50 for each subsequent day's absence from the same; and in default of payment, of being taken into custody." When the House of Commons is ordered to be called over, it is usual to name a day which will enable the members to attend from all parts of the country. If the

members appear in their places at this time, or in the course of the evening, it is usual to excuse them for their previous default; but if they do not appear, and no excuse is offered for them, they are ordered to attend on a future day. It is also customary to excuse them if they attend on that day, or if a reasonable excuse be then offered; but if a member should not attend, and no excuse is offered, he is liable to be committed to the custody of the sergeant-at-arms, and to the payment of the fees incident to that commitment.

CALL TO THE BAR. (See BARRISTER.)

CALOYERS, *kal-ol' ers* (Gr., *kalojcroi*, good old men), is a general name given to the monks of the Greek church. They follow the rule of St. Basil, whom they regard as their father and founder. There are three degrees among them: the novices, who are called *Archari*; the ordinary professed, called *Microchemi*; and the more perfect, called *Megalochemi*. They are likewise divided into cenobites, anchorites, and recluses. All the monks are obliged to labour for the benefit of the monastery as long as they continue in it. The most considerable monastery of the Caloyers in Asia is that of Mount Sinai, which was founded by the emperor Justinian, and endowed with 60,000 crowns revenue. They have also numerous monasteries in Europe, the most celebrated of which are those of Mount Athos, in Macedonia. There are also female Caloyers, or Grack nuns, who likewise follow the rule of St. Basil, but their nunneries are always dependent on some monastery.

CALUMNY. (See LIBEL.)

CALUMNY, OATH OF, in the old law of Scotland, was an oath that both parties to a lawsuit might be ordained to take, by themselves or their counsel, that they believed their case to be true and good. The object was to prevent rash and unprincipled lawsuits. In practice, the oath was not usually required, unless one of the parties to the suit demanded it of his opponent. It is now confined to actions for divorce and other consistorial cases as a guard against collusion.

CALVARY, *kal'-va-re*, in Roman Catholic countries is a name given, from the mount on which Christ was crucified, to certain places either adjoining a church or outside a town, where are three crosses, with figures of Christ and the two thieves, usually of life size. In some churches the Calvary represents a series of incidents connected with the Passion and Crucifixion. One of the most celebrated is that of Mount Valerian, near Paris, which is composed of seven chapels, in each of which some mystery of the Passion is represented.

CALVES' HEAD CLUB.—On the 30th of January, 1735 (the anniversary of the execution of King Charles the First), some members of an association to which this name was given, exhibited at a window in Suffolk Street, St. James's, calves' heads, and drank toasts to the memory of the army which dethroned King Charles the First, and of the men who cut off his head on the scaffold. This led to a riot which was suppressed by the military.

CALVINISM, *kal'-vin-izm*, is the name given to certain theological doctrines, after John Calvin, the celebrated Reformer. Generally, all who hold these doctrines, of whatever sect, are

termed Calvinists: but it is applied more particularly to the reformed churches of Switzerland and Germany, as distinguished from the Lutheran. Luther, notwithstanding his dauntless courage in opposing the corruptions of the papacy, retained many things which gave offence to a number of the reformers. He was disposed to treat with toleration images, altars, wax tapers, private confession, and the mass. To all of these Calvin was opposed. He declared the Church to be a separate and independent body, endowed with the power of legislation for itself, and left to the civil magistrate little more than the privilege of protecting the Church and providing for its wants. He maintained that the Church ought to be governed, like the primitive Church, only by synods and presbyteries, that is, by assemblies of elders, composed both of clergy and laity; and that among the clergy all are by the law of Christ equal in rank and authority. His religious discipline was severe, and excommunication was a civil sentence. In divinity, Calvin was an implicit follower of St. Augustine, and taught, with the great Latin father, the doctrine of the absolute decrees. The leading doctrines of Calvinism, as opposed to Arminianism, and as explained and confirmed by the synod of Dort, are the five following:—1. That God has chosen a certain number of the fallen race of man unto eternal glory before the foundation of the world, without the least foresight of faith, good works, or any conditions performed by the creature, and that the rest of mankind he was pleased to pass by and ordain to dishonour and wrath for their sins. Predestination, however, is held not to affect the agency or accountableness of creatures, or as being to them any rule of conduct. On the contrary, they are supposed to act as freely, and to be as much the proper subjects of calls, promises, and threatenings, as if no decrees existed. 2. That though the death of Christ be a most perfect sacrifice and satisfaction for sins, abundantly sufficient to expiate all those of the whole world; and though on this ground the gospel is to be preached to all mankind indiscriminately, yet it was the will of God that Christ, by the blood of the cross, should efficaciously redeem those, and those only, who were from eternity elected to salvation, and given to him by the Father. 3. That all mankind are totally depraved in consequence of the fall of Adam, who, being their federal head, his sin involved the corruption of all his posterity, which corruption renders them unable of themselves to do anything truly good, and exposes them to his righteous displeasure, both in this world and in that which is to come. 4. That all whom God has predestinated unto life he is pleased in his appointed time effectually to call by his word and spirit out of that state of sin and death in which they are by nature, to grace and salvation by Jesus Christ. 5. That those whom God had effectually called and sanctified by his spirit, may fall partially, or for a time, but shall never fall finally, from a state of grace. These tenets, however, are not held to the same extent by all who bear the name of Calvinists. There are some who consider that they go too far, and these are known as Moderate Calvinists; and there are others, known as High Calvinists, who think that they do not go far enough. Calvinism originally existed in its greatest purity in the city of Geneva, whence it extended into Germany, France, the United Provinces, and Britain. In Germany the followers of Calvin constitute the Reformed Church. In

France, Calvinism was abolished by the revocation of the edict of Nantes. In Holland it still continues to be the prevailing religion. In England it was adopted and made the public rule of faith in the reign of Edward VI.; but since the time of Elizabeth it has been on the decline, though latterly a revival has been taking place. In Scotland, Calvinism, as established by John Knox, the pupil and associate of Calvin, has been most enduring, and exists there in its greatest purity. Generally, however, the extreme doctrines of Calvin may be said to be rapidly losing ground, though Calvinism, in its milder form, is the professed creed of Presbyterians, Independents, Baptists, Methodists, &c., in both the Old and the New Worlds.

CAMALDOLITES, *ka-mal'-do-tites*, the name of a religious order established by St. Romuald, a Benedictine monk, in the vale of Camaldoli, near Arezzo, in the Apennines, in 1018, and afterwards confirmed by Alexander II. in 1072. They were originally hermits, living in separate cells; but as their wealth increased, they came to associate together in convents. They rapidly spread, and from Italy they extended into France, Germany, and Poland. They wear a white garment, and observe the austere rules of the Benedictines; but as an order they are now almost extinct. Until the close of the 11th century, the monks were generally known as Romualdines, except those who remained in the vale, or desert, of Camaldoli, who were called Camaldulians.

CAMBRAY, LEAGUE OF, *kam'-bray*.—On the 10th of December, 1508, Pope Julius II., the Emperor Maximilian, Louis XII. of France, and Ferdinand of Spain, entered into a league against the Republic of Venice.

Cambray, Peace of, known as the "Paix des Dames," because the negotiations were carried on between the Duchess Dowager Margaret of Savoy and Louise, mother of Francis I. of France, by which, in 1529, the Emperor Charles V. agreed not to demand for the present the restitution of Burgundy.

CAMERLINGO, *kam'-er-lin'-go* (Lat., *camerlingus*), signified, originally, the treasurer of a pope or emperor, or one who had the management of the public finance. Now the term is only applied to the cardinal who ranks next to the Pope. When the Holy See is vacant, the Cardinal Camerlingo transacts the necessary business of the Papacy, pending the election of a new pope.

CAMERON HIGHLANDERS, a corps of 1,000 men raised in 1793 by Allen Cameron of Erroch, and increased in 1804 by the addition of a second battalion. As the 79th regiment of infantry it greatly distinguished itself in the Peninsula, at Waterloo, in the Crimea, and in India. The official title is now the Queen's Own Cameronian Highlanders.

CAMERONIAN REGIMENT, the 26th regiment of infantry, now appearing in the Army List as the Cameronians (Scottish Rifles), originated in a body of Cameronians at the time of the Revolution of 1688. (See CAMERONIANS.) Mr. Barton, in his "History of Scotland," tells us that the men were induced to enlist on the understanding that the special object of the corps was "to recover and establish the work of Reformation in Scotland, in opposition to Popery, prelacy, and arbitrary power, in all the branches and steps thereof, till the Government in Church and State

be brought to the lustre and integrity which it had in the best of times." The corps afterwards served abroad in the reign of William the Third; and in later times greatly distinguished itself in Egypt, the Peninsula, the West Indies, the Crimea, India, and Africa. The regiment has four battalions.

CAMERONIANS, *kam-e-ro'-ne-ans*, a name popularly given to a religious sect in Scotland, after one Richard Cameron, who fell a martyr to the cause of religious liberty in 1680. The body themselves, however, reject the designation of Cameronians, as they maintain that their principles date long anterior to that time, and have adopted the title of the *Reformed Presbyterian Church*. When Charles II., after his restoration, attempted to establish Episcopacy in Scotland, many of the inhabitants of that country held that he had broken faith with the nation, and had forfeited all claim to their obedience. Some of the more prominent of these were persecuted and imprisoned, and not a few of them suffered martyrdom. Richard Cameron and about twenty others publicly issued a declaration at Banquhar, and affixed it to the market cross, as a protest against the king and his government. Some weeks afterwards, the party was surprised by a vastly superior force in Airdsmoss, on the confines of the counties of Ayr and Dumfries. After a brave fight, Cameron and his brother were slain, and sixteen others were taken prisoners, and soon after perished on the scaffold. Their principles, however, continued to gain ground, and in 1681 they organised themselves into various societies, maintaining close correspondence with each other. They still continued the objects of the most ruthless persecution. They were proscribed and hunted like wild beasts by the government, no respect being shown to either age or sex, while numbers of them perished on the scaffold or at the stake. Their leader, James Renwick, who was beheaded in 1688, was the last of the Scottish martyrs. The Revolution, which occurred soon after, put an end to their persecutions for conscience sake. They were among the first in Scotland to take up arms in the cause of the Prince of Orange, in which they rendered important services. After the Revolution, and principally on account of the control exercised by the state in church matters, they were unwilling to unite with the church as then established in Scotland, and they remained a distinct body. They were never very numerous, and after this time they sank into a comparatively obscure sect. They did not form themselves into a regular church till 1743, when they "formed and established a presbytery in the name of Christ, the alone King and Head of the Church, under the title of the Reformed Presbytery." After this time they increased in numbers, and in 1831 a synod was constituted, under which there are 6 presbyteries, with 36 ministers and 45 congregations. The entire number of members is estimated at about 6,000. They have a theological hall, with professorships of systematical theology and biblical literature and church history. The standards of the church are the Westminster Confession of Faith, the larger and shorter catechisms, and a "Testimony," authorized and signed by the synod in 1839.

Cameronians, or Cameronites, the name also of a sect of Calvinists in France, so called from their founder, John Cameron, a learned theologian, born at Glasgow in 1579, and afterwards professor at Bourdeaux, Sedan,

and Saumur. They asserted that the will of man is only determined by the practical judgment of the mind, and that divine grace moves the will through the light imparted to the judgment. The rigid adherents to the synod of Dort were very severe against them, and the controversy was carried on with great zeal and subtlety on both sides.

CAMISARDS, *kam-e-sards'*, the name given to the Protestant insurgents in the Cevennes, who, after the revocation of the edict of Nantes, in 1685, being subjected to great persecutions, took up arms in their own defence, and for a time reprisal upon their persecutors with equal cruelties. The name is said to be derived from *camise*, or *chemise*, a shirt, because, when making their nocturnal attacks, they usually wore a kind of shirt over their clothes, in order to distinguish each other: hence camisade signifies a nocturnal attack.

CAMP-MEETINGS are religious festivals held among the Methodists in some parts of England and the United States of America. In the latter country, Presbyterians also, particularly in the back settlements, have their camp-meetings. In America, on these occasions, the people assemble from great distances, some in waggon, others on horseback, sometimes to the number of 15,000 or 20,000. They bring their provisions with them, and, erecting booths, they devote six or eight days to religious exercises. Besides prayer-meetings morning and evening, there are four sermons daily during the festival, and the Lord's Supper is celebrated on the Sunday.

CAMORRA, *ka-mor'-ra*, or Camorristi, a secret society of outlaws and robbers, who had a rendezvous in every large town in the former kingdom of Naples, under the Bourbon dynasty. Members of the society could be hired to commit murder, and their robberies were open and most audacious. The society was thoroughly organized and subject to strict discipline.

CAMPBELL'S ACTS, Acts of Parliament introduced by Lord Campbell against libels and slanders (6 and 7 Vic. c. 96, and 8 and 9 Vic. c. 75), to compel railway companies to make compensations for injuries by culpable accidents (9 and 10 Vic. c. 93), and against obscene publications (20 and 21 Vic. c. 83).

CAMPBELLITES, or DISCIPLES OF CHRIST, *kam'-bel'-ites*, an American sect of Baptists founded by Alexander Campbell, a Scotchman, who left the Presbyterian church in 1812. He became united with a Baptist association, but, protesting against all human creeds as a bond of union, and declaring that the Bible alone ought to be accepted as the rule of faith and practice, he was excluded from the fellowship of the Baptists in 1827. His followers formed themselves into a separate body. In 1831 Mr Campbell founded a college at Bethany, in Virginia.

CAMPBELLITES, or ROWITES, followers of the Rev. John M'Leod Campbell, minister of Row, Dumbartonshire, who, in May 1831, was deposed by the General Assembly of the Church of Scotland for teaching the universality of the atonement and other doctrines considered heretical. In 1833 he established a congregation in Glasgow.

CANCELLARI, *kam'-sel-lar'-re-i*, an inferior class of servants of the church in the earlier part

of its history, the precise nature of whose duties is doubtful.

CANCELLING OF A DEED, *kan'-sel-ling*, lines drawn over it in the form of lattice-work or *canelli*, though the phrase is used figuratively for any manner of obliterating or defacing it. This mode is principally used in the case of bonds or other deeds, by an order of a court. The effect of cancellation is to make a deed void, though relief against the effect of improper cancellation may be obtained on application to the Court of Chancery. •

CANDIDATE, *kan'-di-dat* (Lat., *candidus*, white), is a term used to denote an applicant for any office, privilege, or position. It is derived from the Romans, among whom those who sought offices or pelformants wore white robes, and were called *candidati*. In this dress the candidate endeavoured to gain popular favour in every possible way—by canvassing the people, and addressing them in the market-place. In the early Christian church, newly-baptized converts wore white robes for eight days after baptism, and were hence termed candidates.

CANDLES, *kan'-dles*. The use of candles in religious worship appears to have existed from a very early date, some writers attributed it to the references in the book of Revelation, while others consider that it arose from the practice of the early Christians, who were compelled to hold their meetings underground in dark caves. The Romanists explain the meaning thus: It is lighted to indicate joyfulness, to signify the Holy Ghost whose appearance in the flame of fire is symbolised by the candle, and to teach us that we should let our light shine. They are carried in the hand to show that we should let our lights shine before men, and also in memory of the wise virgins. In St. Bernard's works are to be found many fanciful significations attached to the uses of candles in churches.

Inch of Candle, was formerly a mode of marking a certain period of time, generally for deliberation or making up one's mind. Thus, *excommunication by inch of candle* was when the offender was allowed time to repent so long as a candle continued burning, after which sentence of excommunication was pronounced against them. *Sale or auction by inch of candle* was a form of sale at which persons were allowed to bid while a small piece of candle continued burning; and the moment it expired the property was adjudged to the last bidder.

Superstitious Notions connected with Candles. All these have a very remote origin, and may be considered as relics of the once universally prevalent worship of the sun and of fire. When a portion of tallow rises against the wick of a candle, it is regarded as a winding sheet and a sure omen of death in a family. A bright spark denotes a letter will be received, &c., &c.

Candle, Corpse, or Dead-Lights.—Sometimes candles were placed beside a corpse before burial, the idea being that it would ward off evil spirits.

CANDLEMAS, *kan'-di-mas*, a religious festival observed by the Roman Catholic Church in honour of the purification of the Virgin Mary, on the 2nd of February, the 40th day after the Nativity. The name Candlemas is evidently derived from the consecration of the candles to be used in the churches during the year, that takes place on this day among the Roman Catholics. There is also a procession with lighted candles on that day. In an old document of 30 Henry VIII., entitled "Concerning Rites and Ceremonies to be used in due forme in the Churches of Eng-

land," it is declared that the bearing of candles on Candlemas-day "is done in the memorie of Ohriste, the spirituall lighte, when Simoon did prophesye, as it is rodde in the churles that daye." The festival is said to have originated with the ancient Romans, who, on this night, went about Rome with torches and candles in honour of the goddess Februa, the mother of Mars. Pope Sergius, seeing the people attracted by this ceremony, ordained 684, that all Christian people come to church on that day with candles in honour of the Virgin, the mother of our Saviour. From this probably arose the custom which formerly prevailed in England of women bearing lights when they were churched. The ceremony of offering candles were prohibited in England in 1548, by an order of council. The weather on Candlemas-day has in many parts been regarded as indicating the character of the winter.

CANDLESTICK, an instrument for holding a candle when lighted. Symbolically, in the Bible, a candlestick signified a church—i.e., a light giver; but the word translated "candlestick" more correctly means a supporter of lamps.

CANG, CANQUE, OR KEA, *kanq*, the name of an instrument of punishment used in China. It is composed of two heavy pieces of wood worn round the neck like a collar, and usually from 50 to 60 lbs. weight, but sometimes above 100. Slips of paper are pasted over the parts where the collar joins, on which a seal is placed so that the collar cannot be removed until the term of punishment has expired. The offence and duration of punishment are also inscribed. The criminal is paraded through the streets, and then left exposed to the jeers and gibes of the people. No food is given him, and as he cannot feed himself, he starves unless a friend places food in his mouth.

CANNING ADMINISTRATION.—

The Right Hon. George Canning took office as First Lord of the Treasury and Chancellor of the Exchequer on the 30th of April, 1827; but died on the 8th of August following. Lord Palmerston, Mr. Huskisson, and the Marquis of Lansdowne, were members of the Cabinet.

CANON, *kan'-an*, a word derived from the Greek, meaning originally a *rule*. Hence it came to be applied in the early Church to a law or rule, either of doctrine or discipline, enacted by persons of authority in the Church, as popes, bishops, councils. Thus we speak of the canons of the Nice, the canons of the council of Trent, meaning the decisions of these councils on points of doctrine or discipline. (See APOSTOLIC CANONS and CANON LAW.) Canon was also applied to a catalogue of all the things belonging to the Church, or to a catalogue of saints acknowledged and canonized by the Church; also a book used in the service of the Church, as a collection of hymns which were to be sung at festivals; also to the divine and inspired writings; in which sense we speak of the canon of Scripture, the canonical books of the Old and New Testaments. (See BIBLE.) Canon is also applied to the book of laws and rules to which persons are subject who devote themselves to a religious life, and to them also the term canon came to be applied; thus, the Augustinian canons were those who adopted and lived under the rule of St. Augustine. The Paschal canon is a table of the movable feasts, showing the day of Easter and the other

feasts depending on it, for a cycle of nineteen years. Canon is also applied to that part of the communion service or mass of the Roman Catholic church which follows immediately after the *Sanctus* and *Hosanna*.

CANON IN THE CHURCH, is one who possesses a prebend, or revenue allotted for the performance of divine service in a cathedral or collegiate church. The institution of this order is not ancient, being attributed to Chrodegangus, a bishop of Metz about the middle of the 8th century. At first they were merely inferior ecclesiastics, living in community by the cathedral, and assisting the bishop in his duties, entirely dependent on his will, and supported by the revenues of the bishopric. By degrees they shook off their dependence, and formed themselves into separate bodies, of which, however, the bishops were still the recognised heads. In the 10th century there were establishments of this kind formed even in cities where there were no bishops, and these took the name of Congregations, or Colleges, the members being called Collegiates. The name chapter now given to these bodies was not in use till long after. Canons were of various kinds; as, *cardinal canons*, who were attached, *in curiam*, to a church, as a priest is to a parish; *domiciliary canons*, such as, not being in orders, had no right in any particular chapters; *expectative canons*, such as, without having any revenue or prebend, had the title and dignity of canons, a voice in the chapter, and a place in the choir till a prebend should become vacant. *Foreign canons* were such as did not officiate in the canopies to which they belonged, and were opposed to *monastery or residential canons*. *Lay or honorary canons* were persons among the laity who, out of honour and respect, had been admitted into some chapter of canons. *Tertiary canons*, or such as had only a third part of the revenues of the canonicate. *Regular canons* were such as lived in community, and, like religious communities, had, in process of time, added the solemn profession of vows to the practice of their rules: they were called regular to distinguish them from *secular canons*, who mixed more or less with the world, but at the same time practised a religious life according to the rules of the order. (See **AUGUSTINIANS**.) Canons are sometimes called prebendaries from their being in the enjoyment of a prebend; they have stalls in the cathedral churches, which are generally called prebendal stalls. They are still nominally what they once actually were—the council of the bishop for the administration of the affairs of his diocese; and they constitute the chapter of the body known as the Dean and Chapter, which are the governing bodies of a cathedral. (See **DEAN**.)

CANON LAW, a collection of ecclesiastical rules for the government and regulation of the church of Rome, the compilation of which, from the opinions of the ancient fathers and decrees of councils, &c., was commenced about the middle of the 12th century, and continued under successive popes. It consists of two principal parts—the *Decrees and the Decretals*. The former were first collected by Ivo, bishop of Carnot, and perfected by Gratian, the confessor of Pope Eugenius about 1150, who allowed them to be read in schools as established law. This is the most ancient work, and commences from Constantine the Great, the first Christian emperor. The *Decretals* are canonical epistles written by the popes, or popes and cardinals, for determining

some matter of controversy. These were compiled by Raymundus Barchinus, chaplain to Gregory IX., and published at his command about the year 1231, to which Boniface VIII. added a sixth book in 1298. The *Clementine Constitutions*, which appear to be intended as a continuation of the *Decretals*, were compiled by Clement V., and published by his successor, John XXI., at Avignon, in 1327, who afterwards collected some further constitutions, which were published about the year 1340. A seventh book of *Decretals* and a book of *Institutes* were added by Gregory XII., under whose sanction the *Corpus Juris Canonici*, containing all the several parts, was published in 1580. The *Decrees* appear to set out the origin of the canon law, and the rights, dignities, and decrees of ecclesiastical persons, with their manner of election, ordination, &c. The *Decretals* contain the law to be used in the ecclesiastical courts. To this body of canonical law of foreign origin must be added the constitutions passed in this country by the pope's legates, Otho and Othobon, and the prelates of England, assembled in national councils in 1237 and 1269, and also the constitutions framed in provincial synods under the authority of successive archbishops of Canterbury, from Stephen Langton in 1222, to Archbishop Chicheley in 1414.

CANONS, BOOK OF, a code of canon or laws prepared by the Scottish prelates in obedience to the command of Charles the First, revised by Archbishop Laud, and confirmed under the great seal by letters patent bearing date May 23, 1635. They were subversive of the whole constitution of the Church of Scotland, and enjoined adherence to the liturgy, which had not yet been published or even prepared. They decreed excommunication against all who should deny the king's supremacy in ecclesiastical matters, or that should dare to say that the liturgy (unpublished) contained anything contrary to the Scriptures. No general assembly should be called but by the king; no ecclesiastical business should be discussed, except in the prelate courts; no private meetings should be held by ministers for expounding the Scriptures; and on no occasion, in public, should a minister engage in extempore prayer. Great indignation was felt all over Scotland when the character of these canons came to be known; and it added greatly to that deep feeling which soon afterwards broke out with such violence.

CANONS OF THE CHURCH OF ENGLAND, certain laws and constitutions made for the government of the Church, and which have received the assent and confirmation of the kings of England. Even when the papal power was most dominant in England, from the time of William I. to the Reformation, the Church had no power to enforce any canons or constitutions which had not received the royal assent. The canons in force at the time in England were all collected, explained, and systematized by Lyndwood, dean of the Arches, in the reign of Henry VI. It was intended to reform these canons soon after the Reformation, and Cranmer and some other commissioners were appointed for that purpose by Henry VIII. and Edward VI. The work was completed; but the king dying, it remained unconfirmed. These canons are still binding, and are acted upon in the ecclesiastical courts, except where they are superseded by subsequent canons or by acts of parliament. Another book of articles or canons was made at a provincial

synod in London, April 3, 1571, by Parker, archbishop of Canterbury, and the rest of the bishops; but it is not said to have been confirmed by royal authority. In the 27 Eliz., certain canons were agreed to by the archbishop and bishops at a provincial synod at London, Nov. 24, 1584, and afterwards confirmed by royal authority. Other canons and constitutions were treated of by a provincial synod of Canterbury, and being afterwards approved of and confirmed by the queen, they were, by royal authority, transmitted to the two provinces of Canterbury and York, and published for the due observance of them. In 1603, a synod assembled at London, under the archbishop of Canterbury, in terms of a writ issued by James I. for that purpose, to confer, consider, consult, and agree upon such canons, orders, ordinances, and constitutions as they should think necessary, fit, and convenient for the honour and service of God, the good and quiet of the Church, and the better government thereof, to be from time to time observed, performed, fulfilled, and kept by the whole clergy. These canons are 141 in number, and are for the most part a digest of old canons, with some new ones added. They treat—1, Of the Church of England; 2, of divine service and administration of the sacraments; 3, of ministers, their ordination, function and charge; 4, schoolmasters; 5, things appertaining to churches; 6, churchwardens and side-men; 7, parish clerks; 8, ecclesiastical courts; 9, judges ecclesiastical and their surrogates; 10, proctors; 11, registrars and apparitors; 12, authority of synods; forming the basis of the ecclesiastical law as bearing upon the clergy, but not binding upon the laity, except in so far as they are declaratory of the ancient canon law. In 1640, the convocation then assembled passed a body of canons, which were ratified by the king under the great seal the same year; but being of a very arbitrary nature, an attempt was made at the time to set them aside, on the plea that the convocation could not lawfully continue its session after the dissolution of Parliament. The opinion of the judges at the time was unanimously in favour of the legality of the proceedings; but they were unanimously rejected by the Commons, and, by an act passed in the 13th year of Charles II., they were abrogated.

CANONICÆ, OR CANONESESSES, *kan-on-i-se*, a name given to unmarried women, who were enrolled in a canon or catalogue of ecclesiastics. They differed from nuns in not being confined to a cloister, but in living ordinarily in the houses of their parents.

CANONICAL, *kan-on-i-kal*, of or belonging to the canons of the church.

Canonical hours are certain stated times of the day assigned to the offices of prayer and devotion, "that all Christians throughout the world might at the same time join together to glorify God." They are observed principally among Roman Catholics, and are prime, terce, sext, and none—the first, third, sixth, and ninth hours of the day; vespers in the evening, at six, complin, as completing the services of the day; and matins and lauds shortly after midnight. The reasons given for dividing the day into seven parts are, that in seven days the creation was completed, that seven times a day the just man falls, that there are seven graces of the Holy Spirit, seven divisions of the Lord's Prayer, and seven ages of a man's life, &c. In England the canonical hours are from eight to twelve o'clock, before or after which marriage cannot be legally performed in any parish church.

Canonical Letters, in the ancient church, were testi-

monials of the orthodox faith sent by the bishops and clergy to each other in order to keep up the Catholic communion, and to distinguish Christians from heretics.

Canonical Life, the method or rule of living prescribed by the ancient clergy who lived in community.

Canonical Obedience is that submission which, by the ecclesiastical laws, the inferior clergy are bound to pay to their bishops, and religious persons to their superiors. In the Church of England every clergyman takes an oath of canonical obedience to his bishop when he is instituted to a benefice or licensed to a cure.

Canonical Punishments are those which the Church has in its power to inflict, as in Roman Catholic countries excommunication, penance, and the like.

Canonical Sins, in the ancient church, were such as were deemed capital or mortal; as idolatry, murder, heresy.

Canonicals, the proper ecclesiastical dress of the clergy.

CANONICI, *kan-on-i-si*, a term applied in early times to the clergy, from their names being enrolled in a canon or catalogue of some church.

CANONICS, OR CANONICA, *kan-on-i-ks*, the name applied by Epicurus to his system of logic, as consisting only of a few rules or canons. Canonics treated of the means by which knowledge, both physical and ethical, was obtained, and of the conditions or *criteria* of truth. These conditions, according to him, were sensations, ideas or imaginations, and affections.

CANONICUM, *kan-on-i-ekum*, in a general sense, denotes a tax or tribute. It is more particularly used in the Greek church for a fee paid by the clergy to bishops, archbishops, and metropolitans, for degrees and promotions. It is also applied to the first-fruits paid by the Greek laity to their bishops or priests, and which is regulated according to the number of houses or *fires* in a place.

CANONIST, *kan-on-ist*, is a person skilled in, or who professes, the study and practice of the canon law.

CANONIZATION, *kan-on-i-zai-shun*, in the Roman Catholic church, is a ceremony by which a deceased person is enrolled in the canon or catalogue of the saints. Canonization was not known in the Christian church till about the middle of the 10th century, and it probably took its rise in the practice of invoking the aid of early martyrs. The bishops at first decided who were entitled to this honour, and afterwards what was at first a mere local decision came to be converted into an imposing ceremony, and the power of conferring this honour was appropriated by the popes. Alexander III., in 1170, pronounced it an exclusive privilege of the papal chair. At first none but martyrs were admitted into the category of saints; but afterwards men of distinguished piety were admitted to this honour; and in later times the pope assumed the right of admitting also such kings and potentates as had greatly favoured his temporal interests. Now no steps can be taken towards canonization until fifty years after the person's death; but formerly there were no restrictions in this respect, and the honour was frequently obtained through family interest or the intrigues of friends. Since the time of Benedict XIV., an official, known as *l'avvocato del Diavolo* (the Devil's advocate) is employed, whose business it is to sift the evidence brought forward, and to endeavour to oppose the admission of the candidate. The first step towards canonization is beatification (which *see*). After beatification has been obtained, a new suit is

necessary in order to obtain the canonization of the same individual. For that purpose, the pope holds four consistories. In the fourth consistory, the pope, having summoned together the cardinals and prelates, orders the report concerning the deceased to be read, and then takes their votes whether he is to be canonized or not. One of the regulations for the ceremony, prescribed by the *Congregatio Rituum* is that every vestment worn by ecclesiastics—including the Pope himself—shall be perfectly new. The ceremony commences with service in the Sistino Chapel, and is concluded in a hall within the precincts of St. Peter's Basilica.

CANONRY, OR CANONICATE, *kan-on-re*, is the name of the office filled by a canon. A prebend may exist without a canonicate; but the canonicate is inseparable from the prebend. It is the canonicate that gives the right of suffrage and other privileges to the canon, and not the prebend.

CANTABRI, *kan-tai-bre*, the name of a rude people of Spain, inhabiting the mountainous districts between Palencia, la Montaña, and Asturias, to the shores of the Bay of Biscay, which, after them, was called the Cantabrian Sea. They are described as resembling the Scythians and Thracians; and by their bravery they maintained a six years' contest with the Romans, begun by Augustus and concluded by Agrippa (A.D. 25-29). A portion of the people still remained unsubdued in their native fastnesses, and from these the Basques of the present day are believed to have sprung.

CANTEEN, *kan-teen* (Ital., *cantina* a wine-cellar or vault), a place within the barracks where the soldier may purchase beer and spirits and other articles. It is under the control of the officer in command, who can regulate the price and see that the cantineer supplies liquor of a good quality, and practises no imposition on his customers. The sale of spirits at these places was forbidden in 1847, but as the prohibition led to excessive drinking outside, the prohibition was removed. The term *canteen* is also applied to a chest in which officers carry plate, spirit-cases, tea, sugar, and other requisites; and to a small wooden vessel, or cask, made of oak, slung by a strap over a soldier's shoulder, and used to carry water or any other liquor when on the march. They hold about three pints.

CANTICLES, *kan-tek-les* (Heb., Song of songs), a name frequently given to the Song of Solomon, the 22nd in order of the books of the Old Testament. There is no other portion of the Scriptures concerning which so much diversity of opinion has been entertained. In modern times attempts have been made to deny the canonicity of this book, not so much on historical or critical grounds, but from the subject of the book itself. The ancient Jews, without exception, regarded it as a sacred book, and it is cited as of divine authority from the earliest times of the Christian Church. As to the authorship of the book, some have maintained that it is not the work of one, but of several authors; or a collection of early songs, added by some later hand; others, that it belongs to an age much later than that of Solomon. The book itself professes to be the work of Solomon, and the unanimous testimony of tradition is in support of this view. There are also in it frequent allusions to the time and circum-

stances of Solomon, a time when the kingdom was in peace and power, while the profusion of its imagery, gathered from foreign as well as domestic scenes, shows it to have been written, at a time when the Jews had extensive intercourse with neighbouring nations, and singularly confirms the view of its being Solomon's, who had a remarkable liking for foreign grandeur. The continuity of the subject and sameness of the style, mark as the work of one author. The interpretation of the book itself is a subject which has given rise to much discussion. The book is an amatory poem. The assumption of a love-song into the sacred canon has called forth many attempts at explanation. Among the Jews it was regarded as an allegory indicating the love of Jehovah to his chosen people. The Christians adopted the allegorical view, and maintained that it symbolized the love of Christ for his church. Luther assumed it as a political allegory referring to the happy consequences of Solomon's reign; and more recently it has been held to be a prophetic description of the Christian church. The German rationalists of the last century maintained the literal interpretation of this book, and this has been the prevailing opinion in that country since that time; but some of the recent expositors, as Hengstenberg, have recurred to the allegorical interpretation. Those who interpret it literally regard it as celebrating the love of Solomon for an Egyptian princess, or for a daughter of Israel; and some consider it as setting forth the beauty of conjugal fidelity, and commending monogamy. Some critics divide the book into twelve distinct poems or idyls; others into plots of seven days, commensurate with the period of a marriage feast; while others regard it as a drama of four or six acts. The difference of manners between the East and West is to be kept in view in considering this song, which is also far more delicate in the Hebrew than in any European dress. Allegory is even to this day a favourite mode of expression in the East, and the veiling of spiritual fervour and enjoyment under the figure of love is common to all eastern nations. The Jews did not allow their youth to read this book before the age of thirty.

In the Book of Common Prayer, a name given to the Psalms chanted in the morning and evening services, "Benedictus," "Magnificat," "Nunc dimittis."

CANTON (Fr., *canton*, a district), a term employed to denote a portion of territory forming a separate state or government. Switzerland is divided into cantons. The arrondissements in France are subdivided into cantons, of which there are 2,971; and these are again subdivided into communes.

CANTRED, OR CANTRETH, *kan-tred* (Brit., *cant*, a hundred, and *treth*, a town or village), is used in Wales in the same sense as a hundred in England, denoting a certain division of a county.

CAP OF MAINTENANCE, OR DIGNITY, an ornament of state worn by royal or noble individuals on certain important occasions. It forms part of the British regalia, and was carried before the kings of England at the coronation. A cap of maintenance is also carried before the mayors of some cities.

CAPACITY, *ka-pas-ee* (Lat., *capax*, capacious), in Philosophy, the susceptibility of the mind of being affected by a particular class of

emotions. It signifies literally "roin for," and denotes the passive power of the mind as distinguished from faculty, which is active power. The terms power, faculty, capacity, are more appropriately applied to natural than acquired capabilities, and are thus inapplicable to mere habits.

Capacity, Legal.—The legal capacity of persons depends upon their age or condition. (See AGE, COMPANY, CORPORATION, CONTRACT, DURESS, HUSBAND AND WIFE, INFANT, INSANITY, MARRIAGE, and OFFICER PUBLIC.)

CAPETIAN DYNASTY, *ka'-pet-i-an*, the third Frankish dynasty founded in 956, when Hugo Capet ascended the throne of France.

CAPIAS, *ka'-pe-as* (Lat., *capio*), a writ giving authority to arrest a defendant. It is of various kinds. One is a writ called *capias ad respondendum*, before judgment. It cannot be issued unless the cause of action exceeds £50, and in no case without an affidavit made by the plaintiff that it does exceed that sum; nor can it be issued at all unless the defendant is about to quit the country and his absence would prejudice the plaintiff. Another writ of *capias* is called *capias ad satisfaciendum*, and is issued on a judgment obtained in an action against the defendant, to arrest the defendant to satisfy the judgment.

CAPITAL, in Political Economy, may be defined as the accumulated savings of industry, capable of being employed either for the support of human existence, or as an instrument of production. In commerce the term is generally understood to mean the accumulated stock of every description with which a merchant or manufacturer carries on his business. In this sense it includes not only the actual money employed, but the plant or machinery requisite for the production of commodities, as well as the buildings, raw materials, &c., indispensable for trade purposes. In short, it is wealth appropriated to reproductive labour. In the science of political economy, capital has, however, a more exact meaning. It is difficult accurately to define it, but in ordinary language, that it comprehends every species of wealth which a nation or community possesses as the result of human exertion, and applicable to present and future uses. It represents the entire wealth of a country, as apart from individuals. *Fixed capital*, consists of the tools and instruments used by the labourer in creating the products of his industry, the machinery he makes and guides, and the premises necessary either to facilitate his efforts or to protect such produce. *Circulating capital*, described by Adam Smith as comprising "the provisions, materials, and finished work of all kinds which are in the hands of their respective dealers, and of the money which is necessary for circulating and distributing them to their final consumers." *Fixed and circulating capital* are dependent, and react upon each other according to circumstances; and Mr. McCulloch lays it down as a cardinal doctrine, that "it is only by their conjoint and powerful operation that wealth can be largely produced and universally diffused." Capital is described by some writers as a "moving force," as distinguished from property or wealth, and if it be not sufficiently strong for accomplishing its purpose, it is lost. Persons trading beyond their capital inevitably come to trouble sooner or later. If an expend-

ture of £1,000 is necessary to achieve a certain object, and only £900 is expended, the object is unachieved and the capital spent is lost. In times of financial epidemics, as in the railway or company manias, enterprises are undertaken with a fictitious capital, and of course disastors follow. All trading speculations on credit are, in fact, so many cheques which will be presented some day, and if there is no capital with which they can be met, bankruptcy is the necessary sequence. (See POLITICAL ECONOMY.)

CAPITAL PUNISHMENT, is the punishment of death—the depriving the criminal of his life. It is so called from the head (Latin, *caput*) being that part of the body most commonly acted upon. The modes of inflicting capital punishment have been very various at different times and in different countries. Sometimes the object has been merely to accomplish the death of the criminal; at other times, it has been to prolong and add to his sufferings by cruel tortures, to satisfy a craving for vengeance, or as a public example. When the object is merely the infliction of death, hanging or beheading is usually had recourse to, and these are now almost the only modes employed in Europe. Many persons hold that the State has no right to inflict death as a punishment for crime. The right which a State possesses to punish for offences arises from the right which every one naturally has to protect himself from injury at the hands of another. In a state of nature, every individual is compelled to protect himself from injury, and to repel force by force, and may even take away the life of another, if necessary, to preserve his own. When men come into a state of society, the right of protecting themselves from injury is transferred, by common consent, from individuals to the community, which, in this case, receives exactly the same power over all its members as each individual man naturally had to protect himself from others. There are some who, while they do not deny the right of the state to inflict capital punishment, yet question its expediency; asserting that the desired end would be as well, or better, attained in another way. The end of punishment is not to avenge past, but to prevent future offences. There are three ways in which this may be accomplished: 1, by reforming the criminal himself; 2, by preventing him from again offending; and 3, by deterring others through his example. It is this last that is the principal object in view in all criminal punishments; and the great question to be considered is, can the result be achieved without having recourse to the punishment of death? The very severity of capital punishment prevents it in many cases from being carried out, and thus allows some hope of escape, even to the most guilty, and so lessens the force of the check on crime. The punishment of death in this country was abolished in a great number of cases by Acts of Parliament passed between 1824 and 1829; and by the Criminal Law Consolidation Act (passed in 1861) was restricted to treason and wilful murder. In the Army and Navy, however, punishments are regulated by Articles of War and special Acts of Parliament. In the Army, death is the punishment of 21 specified offences; and in the Navy of 19.

CAPITATION, *ka-pit-ai'-shun* (Lat., *caput*, the head), denotes a thing that is applicable to all persons—literally, to every head. A capitation or poll-tax is a tax levied on persons by the

head, without reference to property or other circumstances: it may be on every one, or on all males, or on all above a certain age, &c. In France the ancient capitulation-tax is now replaced by more approved modes of taxation.

CAPITULAR, *ka-pit'-u-lar* (Lat., *caput*, the head), is a term frequently employed on the Continent to designate a major canon or prebendary of a cathedral or collegiate church.

CAPITULARIES, *kap-it'-u-la-rics* (Lat., *capitularia*), were certain laws or ordinances issued by the French kings of the first and second Frankish races, for the administration of civil and ecclesiastical affairs. These capitularies were made in the assemblies of bishops and lords of the kingdom. The best known are those of Charlemagne and Louis. Angosius, abbot of Fontenelles, made a collection of these in 827, and other collections were made subsequently. Bishops were also accustomed to give the name of capitularies to the rules which they drew up from the canons of councils for the regulation of their own dioceses.

CAPITULATION, *kap-it-u-lai'-shun* (Lat., *capitula*, heads), the act by which an officer in command of a fortress or body of troops surrenders to the enemy. The terms of the surrender are stated in a series of articles, to which the expression is more particularly applied. The governor of a fortress is justified in capitulating to an enemy when he has defended his post as long as the ammunition, provisions, and resources of the place will permit; for when the walls have been breached, and there is no hope of obtaining relief, continued resistance would be an act of madness and folly, which would sooner or later compel him to surrender at discretion, placing himself and his forces entirely at the mercy of the enemy. A white flag is the sign that the besieged desire to capitulate. A convention is a sort of capitulation by which the general of an army occupying any district agrees to withdraw his troops and evacuate it in favour of a superior force, which he cannot hope to oppose with success in the field.

CAPNOMANCY, *kap'-no-man-se* (Gr., *kapnos*, smoke; *manteia*, divination), a species of divination used by the ancients. If the smoke ascending from the sacrifice was thin and light, and went up in a straight line, it was considered to augur favourably; but if it went in any other direction, it was an evil omen. Some practised this kind of divination by throwing poppy or jasmine seeds on the fire, and watching the direction of the smoke in the same way.

"CAPS AND HATS." a name given to the factions which disturbed Sweden after the assembly of the Swedish Diet in 1738. The Caps were in the interests of the Russians; the Hats in that of the French. As a result of the ascendancy of the latter, war was declared in 1741, and continued till the peace of Abo, 1743. Both parties were suppressed by Gustavus III. on his accession in 1772.

CAPTAIN, *kap'-t'n* (Fr., *capitaine*), the title given to an officer commanding a company of infantry, a troop of cavalry, or a battery of artillery, and the naval officer who commands a ship of war. Commanders in the navy are called captains by courtesy, but the term properly belongs to officers occupying the intermediate rank between

commanders and admirals, who were formerly called post-captains. The name is improperly given to the chief officer of a merchantman, whose proper appellation is that of *master*. Many sailors on board ship holding some petty place of authority among others are called captains; as the captain of the gun, captain of the forecabin, &c. In the army, the captain has the complete control of the internal economy of his company in matters of discipline, clothing, arms, accoutrements, barracks, billeting, and accounts. In this he is assisted by his subalterns—the lieutenant and sub-lieutenants. The naval captain holds a post of greater importance than a captain in the army, as it involves a far greater amount of responsibility; the latter being responsible for his company only, while the former is answerable for the safety of the ship and the discipline of the crew, and has the management of everything on board. The captain in the army ranks with a lieutenant in the navy, and a captain in the navy ranks with a lieutenant-colonel in the army. When several ships compose a fleet under the command of an admiral, the captain of the ship in which the admiral hoists his flag is called the *flag-captain*, and takes precedence of others in the fleet of the same rank. The captain of the fleet is an officer through whom the admiral issues his orders, holding a position similar to that of the principal aide-de-camp to a general officer or chief of the staff. In literature, the term is often applied in a general sense to the commander of an army; thus Marlborough and Frederick are sometimes alluded to as the greatest captains of their age. In the Old and New Testaments the title captain signifies any officer, civil or military, in high position, and, in the book of Samuel, a king or prince. In the Epistle to the Hebrews (ii. 10), the Saviour is spoken of as "the captain of their salvation."

CAPTION, *kap'-shun* (Lat., *captio*, a taking).—When any commission at law or in equity is executed, the commissioners subscribe their names to a certificate, testifying when and where the commission was executed; and this is called a *caption*; also where a man is arrested, the act of taking him is called a *caption*. There is also the *caption* of an indictment, which is the setting forth of the style of the court before which the jurors make their presentation. It is also the memorandum at the foot of an affidavit or statutory declaration, subscribed by the judge, commissioner, or other person before whom it is made, showing the time and place at which it is made. In Scotland, *caption* is a writ issued at the instance of a creditor in a civil debt, for the apprehension and imprisonment of the person of a debtor until he pay the debt. This form of proceeding fell into disuse since 1838, the power of imprisonment having been then extended to sheriffs by 1 and 2 Vict. c. 114, the Personal Diligence Act. *Caption* is also the name of a summary warrant of imprisonment issued against an agent to return the papers of a process or lawsuit, which have been borrowed by him and are unduly detained.

CAPTIVE, *kap'-tiv* (Lat., *captivus*; Fr., *captif*), a person taken by an enemy in war. Formerly, captives in war became the slaves of those who took them, or were sold as slaves. Great numbers of them were sometimes offered as sacrifices to the gods of the victors. It seems to have been a custom occasionally resorted to in the East, to make the captives lie down on the

ground and then to put to death a certain portion of them, which was measured by a line or determined by lot. It was in accordance with this custom that David, as we are told, "smote Moab, and measured them with a line, casting them down to the ground; even with two lines measured he to put to death, and with one full line to keep alive" (2 Sam. viii. 2). Sometimes, as referred to by Virgil, the living and the dead were coupled together, face to face and hand to hand, till the living became as the dead. St. Paul's exclamation, "Who will release me from this body of death?" is supposed to refer to this horrible punishment. Sometimes, as with the Romans, their necks were exposed to the soldiers to be trampled upon; sometimes they were loaded with irons, and sometimes their eyes were put out. They were often stripped naked, and made to travel in that condition, exposed to the burning heat of the sun by day and to the chilling cold by night. There are frequent references in the Old Testament to the modes of treating captives.

CAPTIVITY, *kap-tiv'-e-te* (Lat., *captivitas*), one of the means frequently adopted by eastern monarchs (especially the Assyrian potentates), in order to establish their power over vanquished nations, was to transport an important part of the population of those nations into their own dominions. In the history of the Jews the captivities are most important incidents. Their earliest captivity was that of Egypt, from which they were rescued by Moses. We read of six captivities that took place during the government of the judges; but the two most signal captivities of this people were those of Israel and Judah after they had been formed into separate kingdoms, and are known as those of Assyria and Babylon. That which is called the First Captivity was not brought about by a single removal of the population; on the contrary, the kingdom of Israel was invaded on several occasions by the kings of Assyria. About B.C. 740, Tiglath-Pileser carried off the more distant trans-Jordanic tribes to Assyria. His successor, Shalmaneser, twice invaded the kingdom which remained to Hoshea. He attacked and reduced Samaria after a siege of three years, B.C. 721, and carried off into Assyria and Media the king and the remainder of the ten tribes, and their place was supplied by colonies from Babylon and Susis. This was the end of Israel as a kingdom. More than a century elapsed before the Second or Babylonish captivity, which overtook the kingdom of Judah. Two distinct deportations are mentioned in the second book of Kings, three in Jeremiah, and one in Daniel. The two principal deportations, however, were—1, that which took place B.C. 598, when Jehoiachin, with all the nobles, soldiers, and artificers, were carried away; and 2, that which followed the destruction of the temple and the capture of Zedekiah, B.C. 588. The seventy years of captivity predicted by Jeremiah are dated by Prideaux from B.C. 606. The Jews in their captivity were not treated as slaves, but as colonists. They had elders and judges among themselves, who governed them and determined disputes according to their own laws. There was nothing to hinder a Jew from rising to the highest eminence in the state, or holding the most confidential offices. The Babylonish captivity was brought to a close by the decree of Cyrus, B.C. 536, and the return of a portion of the nation, under Sheshbazzar or Zerubbabel, B.C. 535. What

became of the ten tribes carried away in the First Captivity, is a subject which has given rise to much discussion; and although many attempts have been made, no satisfactory conclusion has been arrived at. The character, language, and habits of the Jewish people, who returned from the Second Captivity, were very markedly changed by the captivity. Their love for agricultural pursuits had declined, and a taste for commercial enterprise had taken its place. A now and deeper feeling of reverence for the letter of the law of Moses had taken possession of them, and a profound hatred of their old sin of idolatry.

CAPTURE, *kap'-tsher*, the act of taking or seizing; as the capture of a vessel, or booty, of an enemy by stratagem, surprise, or force. (See **BOOTY**, **PRIZE**.)

CAPUCHINS, *kap-u-sheens'*, a branch of the religious order of the Franciscans, so called from the *capuce*, a sharp-pointed cap or cowl wherewith they cover their heads, having in addition the ordinary Franciscan habit. (See **FRANCISCANS**.) There is an order of Capuchin nuns (Capuchines) as well as monks, established at Naples in 1558, by a lady belonging to a noble Spanish family. On account of their austerity, they were also known as "Nuns of the Passion."

CAPUDAN PASHA, *kap'-u-dun pa-sha'* (Turkish), the officer who has command of the fleet and the management of all naval affairs in the Ottoman empire. He has also civil jurisdiction over a number of seaports and maritime districts, as well as the Turkish islands of the Archipelago.

CAPUT BARONIAL (Lat., the head of the barony), was formerly used to denote the chief seat or castle of a nobleman, where he had his usual residence and held his court.

CAPUT LUPINUM (Lat., wolf's head), a term formerly applied to an outlawed felon, to denote that any one might slay him that should find him—that he might be knocked on the head like a wolf.

CAPUTIATI, *ka-pu-ti-ai'-te*, a sect of religious fanatics which arose in the latter part of the twelfth century, in the diocese of Auxerre, and thence spread into other parts of France. Their badge was a singular kind of cap (*capuche*), which they wore; whence their name. Their leader, Durand, pretended to be inspired by the Virgin Mary, and declared that their object was to restore peace and liberty upon earth, by leveling all distinctions, abolishing subordination, and abrogating the magistracy. Hugo, bishop of Auxerre, succeeded in putting them down in the energetic fashion of the times.

CARAITES, or **KARAITES**, *ka'-rai-ites*, one of the most ancient and most remarkable of the Jewish sects. They keep aloof from the other Jews, and dwell chiefly in the south west of Russia, Galicia, Turkey, and Persia. The rabbins make them identical with the Sadducees of the New Testament, or a branch of that sect which separated themselves from the other Jews under the leadership of one Anan, about A.D. 640. The Caraites themselves, however, claim a much higher antiquity, and produced a catalogue of doctors up to the time of Ezra. They are not mentioned by either Josephus or Philo; and hence it seems probable that they were not in existence in the times of these authors. The

most likely hypothesis is, that they separated themselves from the Rabbinites about the time of Anan, maintaining the authority of the Word of God, and rejecting the traditions of the elders: hence they received the name of *Cayyim*, textuaries, or persons holding by the text of Scripture. They do not, however, reject all tradition, for they have certain interpretations which they call hereditary, and in which they confide. But they give no credit to the explanations of the Cabbalists, nor to any institutions of the Talmud but such as are conformable to Scripture. Their theology differs from that of the other Jews, chiefly in being purer and more free from superstition. The written Word of God they regard as the only certain rule of faith and practice, and vindicate the right of private judgment in its interpretation. They have many excellent customs, and insist much upon practical piety. They direct their attention chiefly to the law of the Old Testament, to the almost entire neglect of the prophecies; and thus they never attain to the true spirit of the revelation. They believe in the immortality of the soul: in the resurrection, judgment, heaven and hell, and the other doctrines which the ancient Sadducees denied. They mingle but little with other people; but those among whom they live speak very favourably of them. Mr. Oliphant says that "the Caraites merchant enjoys everywhere so high a reputation that throughout the Crimea his word is considered equal to his bond." The number of this sect has been greatly diminished, partly by wars and other public calamities, which have befallen the countries in which they were settled. There are at present about 500 in Vilna, 150 in Galicia, 200 in Odessa, and 1,000 in the Crimea. They have also a congregation in Constantinople, one in Jerusalem, one in Alexandria, and several in Asia Minor and Persia.

CARBONARI, *kar-bo-na'-re* (Ital., colliers, or charcoal-burners), the name assumed by a large political secret society of Italy, which first emerged from its concealment in 1820. It probably originated in the republicans who, under Murat's government, equally hating the French and King Ferdinand, fled to the wild recesses of the Abruzzi, where they formed themselves into a secret confederacy under the name of *Carbonari*. Their leader, Capobianco, is said to have been a man of great rhetorical powers. The ritual of the Carbonari was taken from the vocation of charcoal-burning, and their war-cry was "Revenge for the lamb torn by the wolf." *Clashing the forest of ivy* (opposition to tyranny) was the basis of their symbols. By *the ivy* they probably at first meant only deliverance from foreign dominion; but in later times it denoted freedom from all despotic rule—anti-monarchical and democratic principles having taken possession of them. Among themselves the initiated were styled "good cousins." The place of meeting was called a *hat* (*bonnet*), the other districts a *forest*; the interior of the hat was the *venue*, the place for selling charcoal. The union of the huts of a province constituted a *republic*. Soon after the institution of the society, numbered from 24,000 to 30,000 members; and it is said that during the month of March, 1820, no fewer than 550,000 new members were initiated. One of the rules declares that "every Carbonari has the natural and unalienable right to worship God according to his own views and convictions." The Carbonari seem to

have borrowed many of their forms from the Freemasons, though they did not spring from them. After the suppression of the Neapolitan and Piedmontese revolution of 1821, the Carbonari throughout Italy were declared guilty of high treason, and punished as such by the laws. After the restoration of the Bourbons, numerous secret societies formed themselves in France; and they became united with the Carbonari at Paris in 1820. Soon after this Paris became the head-quarters of Carbonarism, which from this time assumed more of a French character. The initiated were *bons cousins*; the uninitiated, *pagnot*, or heathens. No written communications were allowed among them, and all intercourse had to be carried on by word of mouth. All treachery was punished by assassination. There were about 20,000 Carbonari in Paris alone. From the time of its establishment in France to the end of the French and Spanish war, Carbonarism in France was very active. At that time its activity received a check, and it ceased to manifest itself by any open attempts against the government. The society, however, continued to hold together till the revolution of 1830; after which many of the most influential of the members attached themselves to the new government, and the society was at length dissolved. In its place, however, the republicans formed themselves into a new society, borrowing the character and forms of the old, and taking the name of the *Charbonnerie démocratique*. It was founded for carrying out the principles laid down by Teste in his *Projet d'une Constitution Républicaine*, which were those formerly advocated by Babeuf, and had at its head Buonarrotti, a fellow-conspirator of Babeuf. All the operations of this new society centred in Paris, a mode of proceeding which gave offence to the Italians who had joined them, who seceded, and formed themselves into a separate body under the name of "Young Italy." Carbonarism is not known to exist in France at present, the latest trace in it having been found in the south of France in 1841; but it is reported to be still in existence of Italy, or, at least, to have been so up to the recent series of changes.

CARDINAL, the highest dignity in the Roman Catholic Church next to the Pope. The cardinals were at first only the principal priests or incumbents of the parishes of Rome, which was early divided into parishes. Afterwards it came to be applied to the chief priest of any parish, who was alone allowed to baptise and administer the Eucharist. The title continued to be thus general down to the 12th century, when the popes, having grown powerful, formed a college or secret council of ecclesiastics of high rank to assist them in their duties, to whom alone the title of cardinal was soon reserved. At first, the title was confined to ecclesiastics in Rome or its neighbourhood; but afterwards it came to be conferred upon others at a distance, Conradus, archbishop of Mayence, being, it is said, the first who received this honour from Pope Alexander III. In 1159 the cardinals obtained, after much opposition on the part of the other clergy, the exclusive right of choosing the Pope; and Innocent IV. gave them a rank above the bishops, together with the red hat. Boniface VIII., in the beginning of the 14th century, assigned to them the princely mantle, and Urban VIII. gave them the title of "eminence" instead of "most illustrious." The number of cardinals has varied

greatly at different times. In the 12th century, they rarely exceeded thirty, and in the 13th there was at one time but seven. In 1510 there were only thirteen, and in 1559 the highest number, seventy-six, was reached. The council of Basel decided that there should be twenty-four; but Sixtus V. fixed their number at seventy, to correspond with the seventy elders of Israel. This last has since been adhered to; but the number is seldom full (it was so, however, in 1853, when eight new cardinals were created), the Pope generally leaving some vacancies for extraordinary cases. The Pope may select cardinals from any country, but with a preference for Italians: and in 1850, of the sixty-seven cardinals, fifty-one were Italians. Their creation occurs first in a secret conclave of cardinals, and is then publicly repeated. The person appointed is solemnly received in a public session of the consistory, and decked with a cardinal's hat. The promotion is completed at the close of the next secret conclave, which the new cardinals attend. In the case of cardinals who cannot attend, the Pope dispatches one of his chambermen of honour to carry to them their cap; but they must receive their hat at his own hands. Their dress consists of a surplice with a short purple mantle, and a small cap, over which they wear the hat, with silk strings and tassels at the end. The red colour of the hat was originally intended to show that the cardinals were ready to shed their blood in the defence of the Church; and it is bestowed in a consistory with much ceremony. They have also a ring of sapphire, set in gold, which is worn on the fourth finger. They are divided into three classes—viz., six cardinal bishops, fifty cardinal priests, and fourteen cardinal deacons. In their own college, cardinal bishops rank first, the others according to the date of their appointment. The oldest cardinal bishop residing in Rome is dean of the college of cardinals. This college is the Pope's council in all important cases, especially in all ecclesiastical matters, in which he must consult them. Cardinals are alone eligible to the papal chair, and as soon as this becomes vacant, they form a conclave to elect a successor. (See CONCLAVE.) The congregations (which see) are also under the direction of cardinals. The council of cardinals, when assembled under the Pope for the discussion of matters affecting the Church or the State, is called a *consistorium*. (See CONSISTORY.)

In *Morals*, Cardinal Virtues is a term applied to those virtues which are supposed to comprise all the rest, or to which all the others are subordinate. This distribution of the virtues originated in the ancient Greek philosophy. It is to be found in the teaching of Socrates, as recorded by Xenophon, and was further developed by Plato, who makes them out to be Justice, temperance, fortitude, and prudence. The Roman Catholic moralists have adopted this ancient division of the cardinal virtues, to which they add what are termed the theological virtues—viz., faith, hope, and charity, making the entire number seven.

CARE, OR CARLE SUNDAY, *karle*, the second Sunday before Easter, or the fifth Sunday from Shrove Tuesday. It was formerly a custom in many parts of England to have grey peas steeped and fried in butter, and given away to be eaten on this day. These were called *carlings*. It seems to have arisen from an old Romish custom of eating steeped beans on this day—a custom which probably originated from some earlier heathen practice.

CARLOVINGIANS, *kar-to-vin'-je-ans*, the name of the second dynasty of the Frankish kings which reigned in France between the years 752 and 987.

CARMELITES, OR WHITE FRIARS, OR THE ORDER OF OUR LADY OF MOUNT CARMEL, *kar'-mel-ites*, a religious order forming one of the four tribes of mendicants or begging friars, and deriving both their name and their origin from Mount Carmel. They claim the prophet Elijah as the parent and founder of their community—an assumption which gave rise to a warm contest between them and the Jesuits about the end of the 17th century. The order was founded about 1156, by one Berthold, a Calabrian, who came to the Holy Land, and formed a community of hermits on Mount Carmel. The order afterwards obtained the sanction of the Church, and a rule from Albert, patriarch of Jerusalem, enjoining poverty, manual labour, living in separate cells, specified prayers, and fastings and silence at certain times. Pressed by the Saracens, they withdrew from Mount Carmel about 1238, and soon spread over Europe, especially Italy, France, Spain, and England. They held their first European general chapter at the monastery of Aylesford, in England, 1245. They had afterwards about forty houses in England and Wales. One large monastery of the order was in London, east of the Temple, and on the bank of the Thames—the locality is still known as Whitefriars. In 1247 they obtained certain modifications of their rule from Innocent IV., which contributed much to their popularity; and still more so did the adoption of the *scapulary*, consisting of two stripes of grey cloth, worn one upon the breast and the other upon the back, and fastened together on the shoulders. It was an invention of 1287, and a brotherhood of Scapulary arose, composed of laymen without any monastic vows. The scapulary was declared to have been revealed by the Virgin, who was said to visit purgatory every Saturday, to save all who had at any time borne it, or had died in it. In the 16th century, St. Theresa, a Spanish lady of noble family, undertook the difficult task of reforming this order, which had lost much of its primitive sanctity. She met with much opposition from the members of the order; but being assisted by Johannes de Santa Cruxa, she succeeded in dividing the order into two branches:—1, The *Carmelites of the Ancient Observance*, or the moderate party, who continued to adhere to their milder rule of discipline; and 2, those of the *Strict Observance*, or the *Bare-footed Carmelites*, who went bare-footed, and adopted a much more severe and self-denying course of discipline. There are now four independent bodies or congregations of Carmelites:—1, Carmelites of the milder rule; 2, Carmelites of Mantua; 3, Bare-footed Carmelites of Spain; and 4, Bare-footed Carmelites of Italy, or of St. Blas. There is also an order of Carmelite nuns, which was instituted in France in 1252, and at present are very numerous in Italy. They have a legend that the order of nuns is of much greater antiquity, and that the Virgin Mary was herself a Carmelite nun. A Carmelite Church was founded at Kensington in 1865.

Knights of the Order of our Lady of Mount Carmel, a military order instituted in 1602, by Henry IV. of France, and incorporated by a Papal bull, with the Knights of St. Lazarus of Jerusalem. The order consisted of 100 knights of four descents of nobility, both

by father and mother, and were to act as a body-guard to the king in battle.

CARNIVAL, *kar'-ni-val* (Lat., *caro*, flesh; *vale*, farewell—i.e., farewell to flesh), the name of a festival observed in Roman Catholic countries, particularly in Italy, immediately before the commencement of Lent. At first it began on the feast of the Epiphany, or Twelfth-day, and ending on Ash-Wednesday; but it is now limited to a period of from three to eight days before the beginning of Lent. It doubtless arose from the *Saturnalia* of the ancient Romans, which were celebrated annually, in the month of December, with all kinds of mirth and freedom, in honour of the golden age, when Saturn governed the world, and when liberty, equality, and happiness prevailed. The Christianized Romans were in this, as in other cases, loath to lose their pagan festivals, and the Church granted her sanction to what she could not very well prevent. The early Christians, it is said, on these days, gave themselves up to voluntary madness, put on masks, exchanged sexes, clothed themselves like spectres, and considered all kinds of pleasures allowable. Rome and Venice are now the cities where the carnival is celebrated with the greatest effect; but even in them it is rapidly declining.

CAROLINE BOOKS, *kar'-o-line*, the name given to four books drawn up by the bishops of France by order of Charlemagne, to refute decisions of the second council of Nice regarding the worship of images.

CARPOCRATIANS, *kar-po-krai'-shuns*, a sect of heretics, who sprang up in the 2nd century, and were named after their founder, Carpocrates, an Alexandrian. Their doctrines were those of the Gnostics, believing in one supreme original being, from whom all existence has emanated, and to whom it strives to return. The system seems to have been founded in great measure upon the Platonic philosophy, especially the "Phædrus;" and it also bears a close affinity to Buddhism. Christ they regarded merely as a man who had risen to the highest flight of contemplation, and had thus set himself free from the laws of the spirits of this world. Plato, Aristotle, Socrates, and others, who have risen above the religion of their time, they regarded in the same light, and paid them, also, divine honours. This sect was much given to the art of magic, and are said to have been most immoral in their practice, holding a community of wives, and not only sanctioning, but inculcating sin, as one of the means of rising superior to the spirits of this world. This sect, though small, continued to exist down to the 6th century.

CARRIAGE DEPARTMENT, **ROYAL**, at Woolwich, a government manufactory for the production of army-waggons, gun-carriages, wheels, &c., for use in the Army and Navy. It was first organised in 1803, as a separate establishment, and has so increased in size and importance that nearly 3,000 persons are now engaged there. There are about thirty steam-engines in different parts of the vast establishment, and all the various machinery of the newest description and highest excellence. (See also **GUN CARRIAGE**.)

CARRIERS, *kar'-re-urs* (Welsh, *cariau*; Fr., *charrier*, to carry).—Persons, firms, or companies carrying goods for hire, as masters and owners of ships, hoyman, lightermen, carmen,

coachmen, railway companies, and the like, come under the denomination of *common carriers*. The carrying trade has been more or less developed in all countries aspiring to any commercial standing, and of late years has been much extended in England and America. In Oriental countries, the camel has been and still is largely used in carrying goods, and among the western nations, the pack-horse and mule have been chiefly engaged. These beasts of burden were supplanted by the covered carts and waggons, many of which still ply in various and remote parts of the country. Railway companies confine their attention to the simple conveyance on their lines, and leave to private carriers the task of the collection and distribution of goods, the carriers receiving a commission from the railway companies.

Carriers, Law of.—A common carrier is a person or corporation who undertakes to convey property from any one place to another, and by law he (or they) are bound to convey the goods of every person who offers to pay the lawful charges, unless the conveyance is so full that it is impossible to do so, or the goods are of a description he does not publicly profess to carry. If he undertakes to carry that which he is unable to carry, he is responsible for the delay, and if he knowingly accepts any kind of property *without conditions* he is as liable for that property as for any other, without qualification. With reference to conveying property liable to extraordinary risks, he may refuse to carry it altogether, or to insist upon a special contract, but his ordinary charges must be uniform and in accordance with his published rates. Persons may send parcels containing enclosures, and the carrier has no right to interfere or open such parcels, nor to charge them at a higher rate. If a person gives dangerous goods to a carrier—such as lucifer matches, gunpowder, dynamite, &c.—without a written description, he is liable to a fine of £500, or two years' imprisonment with hard labour. A carrier is liable for every loss of, or injury to, the goods conveyed, unless caused by "acts of God," or enemies of the crown; but in the case of valuables, such as gold and silver lace, paintings, &c., the liability is limited to £10, unless at the time of delivery the value is declared. In the case of valuable animals, the liability is limited to £50 for a horse, £2 for sheep or pig, £15 for a head of cattle, £5 for a dog, unless the higher value be declared, when the carriers may charge a higher rate. If any accident happen through very bad packing the sender is liable, but it is always to his interest to make the best of a bad parcel, as it is sometimes ruled that he should not have taken it unless it were well packed. Shipowners, as carriers of goods, are liable to all these provisions, but in point of fact they do not usually come under the common law rule, but on a special contract for the carriage of goods known as "a bill of lading," (*q.v.*) Railway companies are liable, however, at common law, and they are also subjected to many other obligations as carriers of passengers. These are far too lengthy to be recited here, but are fully stated in the "Bye-Laws" passed by the Board of Trade (to whose supervision they are subject), and published in the time-books of the various companies. Briefly, the law of all carriers of passengers may be stated thus:—Every person or company is a carrier of passengers who gives out that he runs a vehicle or vehicles for that purpose, for hire, and he (or they) are bound to carry all persons who propose to travel by them and pay the stated fare. A carrier, however, may refuse to carry a person who is dirty, intoxicated, riotous, or likely to prove a nuisance to other passengers, but if a carrier's cart or omnibus be too full, so that it is a matter of utter impossibility for him to take another person, his liability ceases. A carrier may not suddenly advance his charges, and his fares must be to all alike unless he makes a special contract, and if a person prepaies and bespeaks a seat, the carrier is bound to reserve it for him if he is there at the proper time or not. Further information on the subject will be found under—**BAILMENT**, **BILL OF LADING**, **LIEN**.

CARRUCATE, *kar'-ru-kait* (Lat., *carru-*

carta), in the ancient laws of England, denoted a plough of land, or as much as one team could plough in a year. The contents of a carrucate are very variously stated, and, indeed, it seems to have varied at different times and in different parts. In the Domesday survey, the hide and carrucate appear to be the same. In the early part of the reign of Richard I., the carrucate is said to have been estimated at 60 acres, and to have been afterwards fixed at 100. In the time of Edward I., it appears to have been more than once estimated at 100 acres; and in the 23rd of Edward III., a carrucate of land in Burcester contained 112 acres, and in Middleton 150.

CARTEL, *kar'-tel* (Fr., *cartel*; Sp., *cartello*), a term applied to an agreement between two states that are at war, for an exchange of prisoners. It is also a challenge to fight a duel. Ships that are used to convey exchanged prisoners, or to take messages from one hostile power to another, are called cartel ships, or by the French *bâtiments parlementaires*. To such ships one gun only is allowed for the purpose of making signals.

CARTESIAN PHILOSOPHY, *kar-té'-se-an*, is that system of philosophy which owes its origin to Descartes (1596-1650), who is entitled the father of modern philosophy. He endeavoured to constitute philosophy a demonstrable science, founded on the principles of pure rationalism. Unable to find any firm ground in any of the prevailing systems, distracted by doubts, mistrusting the evidences of his senses or the conclusions of his understanding, he determined to reconstruct his knowledge, to believe nothing but upon the clearest evidence of reason, and to examine the premises of every conclusion. He pushed his scepticism so far that he came to doubt everything but his own existence. It appeared to him that doubts might reasonably be entertained about everything but his own existence; to doubt the existence of that which thinks and doubts, appeared to him to be an absurdity. Setting out, therefore, from his well-known postulatam, *Cogito, ergo sum* (I think, therefore I am), he resolved to admit nothing which could not be deduced from it by a chain of logical reasoning. His next step was to lay down certain rules for the detection of truth. These were:—1. Never to accept anything as true but what is so evidently, so that there can be no reason to doubt it. 2. To divide every question into as many separate questions as possible, that, each part being more easily conceived, the whole may be more intelligible. 3. To conduct the examination with order, beginning with the most simple, and rising by little and little to the most complex. And 4. to make such exact calculations, and such circumspections as to be certain that nothing essential has been omitted. Consciousness being the ground of all certainty, everything of which we are clearly and distinctly conscious must be true, and everything which we clearly and distinctly conceive, exists, if the idea of it involves existence. The method of reasoning to be followed in the investigation of truth, was, in his view, the mathematical. To prove the existence of God was the first application of his method. This consciousness of mind is finite and imperfect; but infinity and perfection are involved in these ideas, and innate in the mind; therefore an infinite and perfect being must exist. The fundamental attribute of matter is extension, of mind is thought. The soul, whose nature

consists in thought, is simple in its essence, or, in other words, purely immaterial, but intimately connected with the body. The *pineal gland* he supposed may be its seat. From the immateriality of the soul he deduced its immortality; but lest he should be obliged to extend the same properties to other animals, he pronounced them to be *living machines*. The soul is free because it thinks itself so, and in this very freedom consists its liability to error. He made a distinction between the passive impressions and active decisions of the soul. He constituted three classes of ideas: adventitious, or those which we naturally acquire; those which we create; and innate, or those which are born with us. He accounts for the communion existing between soul and body by his doctrine of *Assistance*—the assistance or co-operation of Deity. In material philosophy, Descartes endeavoured to account for this planetary peculiarity by supposing the existence of vorticious movements (movements in a vortex or whirlpool) in a fluid which he assumed occupied all space. Notwithstanding the many defects of the Cartesian philosophy, its confusion in some parts and contradictions in others, and a want of conclusiveness in many of its inferences, it awakened men to independent thought, and impelled them to investigate the fundamental principles of philosophy.

CARTHUSIANS, *kar-thu'-si-ans*, a religious order founded by St. Bruno, professor of philosophy in Paris about 1086, who with six companions retired to the desert of Chartreuse (Latin, *Carthusium*), near Grenoble, where they constructed hermitages. The Carthusians are remarkable for the austerity of their rules. The members cannot leave their cells nor speak to any one without the permission of their superior. Their beds are of straw, with a covering of felt or coarse cloth. They wear hair-cloth shirts, white cassocks, and over these black cloaks. In their refectory they are to keep their eyes on the meat, their hands on the table, their attention on the reader, and their heart fixed on God. They are not allowed animal food, must fast every Friday, except a small allowance of bread and water, and observe an almost perpetual silence. When allowed to discourse, they are to do so modestly, not in a whisper, nor yet in a loud or contentious manner. They confess to the prior every Saturday. The convents of this order are generally very beautiful. La Grand Chartreuse, near Grenoble, is one of the most magnificent convents in the world, and that of Naples is very richly ornamented. The Carthusians first settled in England in 1180, and had monasteries in various parts of the country. There was one established in London where the Charterhouse (a corruption of the original term) now stands. The Carthusian nuns follow almost exactly the rules of the monks. They were first established in Salette, on the Rhone, about 1229.

CASE, in legal phraseology, a formal written argument, prepared with a view to obtaining the opinion of a court of law. In proceedings before a magistrate, if any difficult point of law arises, he will, in many instances, "grant a case," that is, defer his decision until the matter can be argued in all its bearings before a Superior Court.

CASHIERING, *kash-ee'-ing* (Fr., *casser*, to break).—When an officer of the army or navy is dismissed for Majesty's service in consequence of "scandalous and infamous conduct," he is said

to be cashiered. It is dismissal attended with deep and indelible disgrace, and the offender is disqualified from ever re-entering the service from which he is thus ignominiously expelled.

CASSATION, COURT OF (Fr., *cassation*, from *casser*, to annul, quash), is the highest judicial tribunal of France, so called from its having the power to annul the decisions of any of the other tribunals. It is not, strictly speaking, a court of appeal, because it does not go into the merits of the cases on which judgment has been given, but only takes up the legal bearings of the case, as to whether the due forms of procedure have been observed, and the judgment be in strict accordance with law. When a judgment is quashed, the case is remitted back to the tribunal appealed from to give a new decision. It is a court of appeal in criminal as well as in civil cases. It consists of forty-eight members, who are appointed by the sovereign, but who hold office for life. It is divided into three sections, viz.—1, *Section des Requêtes*, which decides on the admissibility of the petitions or appeals; 2, *Section de Cassation civile*, which decides upon appeals in civil cases; and 3, *Section de Cassation criminelle*, which decides upon appeals in criminal matters. The court has a president, and there are presidents also of each of the three sections; but the minister of justice, as keeper of the seals, has the right of presiding in cases where it sits on appeals from the *cours impériales*. Cases of peculiar difficulty may be judged of by the three sections united; and the whole court, when presided over by the minister of justice, possesses powers not specially provided for by law; as in censuring judges, &c. This court owes its origin to the revolution of 1789, and it has been of great benefit to France, maintaining a unity in the legislation, and protecting the people from arbitrary proceedings or misjudgments in the other courts. The judges wear red gowns and velvet caps, and the robes of the president and the procurator-general are doubled with white fur.

CASTE, *kast* (Port., *casta*, a breed), in general, is applied to the several classes or orders into which communities are sometimes divided, with hereditary burdens or privileges; more particularly it is applied to that division into classes which prevails in India. The word has passed into most European languages, and is frequently supposed to be of Hindoo origin; but in Sanscrit the various castes are described as *Varas*, colours. The distinction of castes has existed in society from the very earliest times. In Egypt, Assyria, ancient Persia, and over almost the whole of Asia, it rises beyond the period of history. In Egypt the division into castes existed as early as the time of the Pharaohs, the principal of these being the priests, soldiers, husbandmen, watermen, and herdsmen. In Persia, even before the time of Zoroaster, the people were divided into four castes—viz., priests or magi, soldiers, husbandmen, and tradesmen. It is highly probable that these divisions were originally founded upon differences of descent, and that the separate castes were at first separate races of people. *Hindoo Caste*.—Among the Hindoos society is divided into four castes—1, The *Brahmins*, or priests; 2, the *Kshatriyas*, or military class; 3, the *Vaisyas*, or mercantile; and 4, the *Sudras*, or servile class. The Brahmins are reported to have proceeded originally directly from the mouth of Brahmā, and to them is assigned the duties of reading and teaching the Veda, of sacrificing, and assisting others to sacrifice. The most exalted of men, even kings themselves, are in this

respect infinitely inferior to the meanest of Brahmins. The least disrespect shown to one of the sacred order is the most atrocious of crimes. Neither the body nor property of a Brahmin can be touched, even though guilty of the worst of crimes. The *Chattriyas*, or military caste, sprang from the arm of Brahmā, and, though looked down upon by the Brahmins, they are looked up to by the other castes with a veneration only inferior to that paid to the Brahmins. The *Vaisyas*, the agricultural or mercantile class, sprang from the thigh of Brahmā, and their duty is to keep cattle, to cultivate land, carry on trade, lend money at interest, sacrifice, bestow gifts, and read the Veda. The *Sudras*, or servile class, proceeded from the foot of Brahmā; and a chief part of their duty is to serve the other castes. The most abject and grovelling submission is imposed upon them as a religious duty, and enforced by the most cruel punishments. No *Sudra* must amass wealth, and a Brahmin may seize, without hesitation, the property of his slave. Neither are they allowed to read any of the sacred books, nor to be instructed in the principles of religion. Besides these four castes, there exist in India a large class of persons called *Pariahs* or *Chandalas*, who are regarded as the outcasts of society, objects of contempt and disgust, with whom no one of caste can hold any intercourse. The low of caste was formerly one of the most serious calamities that could befall a Hindoo. This, however, results not from immoralities, for the most abandoned Brahmin retains his rank, notwithstanding his crimes; but he will entirely forfeit it, and lose all countenance in society, by touching impure food, or some such petty delinquency. It is, however, now not unfrequent for a delinquent to be restored to his caste on certain, not very hard, conditions. Mixture of castes, though not absolutely forbidden, involves disadvantages upon the offspring. The different castes have, however, become so much intermixed, that the pure races can scarcely be said to exist in the present day, except among the Brahmins. From the intermixture of the races, innumerable mixed tribes have sprung up, who form castes among themselves; and the barriers of caste are much weaker than they formerly were.

CASTELLAN, *kas-tel'-lan* (Lat., *castellanus*), the governor of a castle or the constable of a fortified house. It was also the name of a dignity or office in Poland, the castellans constituting a kind of lieutenants of provinces, and commanding a part of a palatinate under the palatine. They also formed a lower class of senators of the kingdom, and sat on low seats behind the palatines or great senators.

CASTELLATION, *kas-tel'-lai'-shun* (Lat., *castellatio*), in the Middle Ages, denoted the building of a castle, or the fortifying of a house to render it a castle, which, by the ancient laws of England, required the king's authority.

CASTING VOTE, is the vote which is given by the president or chairman of a meeting when the votes on each side are exactly equal; and thus the point at issue is decided by the casting vote. The Speaker of the House of Commons, or the chairman of a committee, has a casting vote, and when it is necessary to give it, it is generally on that side which will admit of the question being reconsidered.

CASTLE, *kas'-i* (Lat., *castellum*, a fort or small camp), the name formerly given to a strongly-fortified building inclosed by walls, and intended for a place of residence, calculated to afford protection against the attack of an enemy. The buildings to which this term is applied were chiefly the residences of the nobles during the Middle Ages, and were erected in the reigns of the Norman and Plantagenet kings while the feudal system existed in this country. Castles are said to have been built in many parts of England by the Saxons and Danes, but they were not of the strength and size of the Norman

castles. The Romans erected many strongly-fortified camps in various parts of the country, called *castella*, which were garrisoned by small bodies of troops. These were afterwards used as works of defence by the Saxons, and turned into castles by the Normans by the addition of the massive keep and barbican, with towers here and there at the angles of the outworks; but with the introduction of the feudal system by William the Conqueror, that monarch and his followers, among whom the country was parcelled out, commenced the building of the castles whose picturesque remains give additional interest to many a beautiful bit of English scenery, and are intimately associated with historical events and legendary lore. The erection of these baronial fortresses was effectively continued in the succeeding reigns, no less than 1,115 having been built in the troublous times that marked the reign of Stephen. In the reign of Henry II., no one was permitted to erect a castle without the permission of the crown; and this was seldom granted without sufficient cause, for the castles had become the retreats of ruffians who menaced the life and property of all around them whenever an opportunity offered itself. The baronial castle, however, often formed a nucleus for a town, and many a prosperous and thriving English town and city can trace its rise from the few mean dwellings that a noble's retainers erected around and close to the castle of their feudal superior for the purpose of mutual security and defence. The principal parts of the Norman castle were the keep or donjon, the courtyard or bailey, as it was sometimes called (*see* BAILEY), the walls that surrounded the court, the barbican or gatehouse (*see* BARBACAN), and the ditch or moat. Sometimes an inner court was made within the outer one, immediately round the keep, also surrounded with walls, which served as a second line of defence when the enemy had taken the barbican and occupied the outer court. Out-buildings were also added to serve as a clamping-stables, and lodgings for soldiers, with a mound between the barbican and keep, from which it is supposed that the baron dispensed justice to his retainers. The keep was usually a square tower of enormous strength; the walls were from twelve to twenty feet in thickness at the base, and about eight or ten feet wide at the top: they were surmounted by battlements. A narrow winding staircase, generally in one of the angles or a projecting turret, gave access to the first floor, where the entrance to the interior of the castle was situated. The chambers were small, and insufficiently lighted by narrow windows set in deep embrasures. The walls also contained small chambers and galleries here and there, and staircases giving access to the battlements. These passages were loop-holed, to admit the light, and for purposes of espial and defence. The keep was generally buttressed, and had circular towers or bastions at the angles, one of which rose above the rest, to afford a lookout post for the warder or sentinel on guard. The arrangement of castles that were built at a later period, such as Windsor Castle, Kenilworth, and others, was more complicated, and the buildings covered a greater area. Jousts and martial exercises were carried on in the court-yard, the walls of which were strengthened with towers and bastions.

CASUISTRY, *kas'-u-is-tree* (Lat., *casus*, a case), is that branch of ethical science which professes to deal with cases of conscience. It lays

down rules or canons directing us how to act in all matters of moral doubt; whether and how far an obligation is binding upon us, or may be relaxed or dissolved, on account of concomitant circumstances. Its rules are drawn from revelation, reason, the canon law, authority of the fathers, &c. This science has been chiefly cultivated by the Roman Catholics, and was much studied in the 15th and 16th centuries, especially by the Jesuits, being admirably calculated to advance the policy of that order. The confessor, who was able to lay down exact rules of conduct, and to decide which was the greater of two sins, obtained a great power over his penitent. Indeed, the science have been said to have had its origin "in the distinction between mortal and venial sin," and has not inaptly been termed "the art of quibbling with God." This science, however, has been cultivated in the Protestant as well as in the Roman Catholic church, and there is, even now, a professor of moral theology, or casuistry, in the Cambridge university.

CASUS BELLI, *kai'-rus bell-i* (Lat., the cause of war), is the reason assigned by one nation for going to war with another.

CATABAPTISTS, *kat-a-bap'-tists* (Gr., *kata* against, and *baptizo*, I baptise), is applied to persons opposed to baptism, regarding it either as a rite altogether obsolete, or as applicable only to converts from another religion to Christianity.

CATAPHRYGIANS, *kat-a-fri'-yans*, a sect of heretics that arose in the Christian church in the 2nd century, and received their name from the country of Phrygia, in which they first made their appearance. Their founder was one Montanus, a native of Mysia, who, after his conversion to Christianity, became subject to trances, in which he uttered what were supposed to be prophecies, as did also Priscilla and Maximilla, two ladies of rank who joined him. The Cataphrygians were charged with baptizing the dead, forbidding marriage, and mingling the sacramental bread and wine with the blood of young children. (*See* MONTANISTS.)

CATECHESIS, *kat-e-ke'-sis* (Gr., *katechesis*), is used in a general sense to denote instruction in the rudiments of any art or science, more particularly in the first principles of the Christian religion. It is derived from the Greek verb *katacheo*, which signifies to sound or ring, and also to ring a thing in one's ear, or to teach orally; and hence, etymologically and originally, *catechesis* denoted instruction communicated orally in the first principles of the Christian religion. In the primitive church it was the instruction communicated *word of mouth* to children and heathen adults previous to their being baptized and admitted as members of the church. The dispensers of this instruction were called *catechists*, and the recipients *catechumens*.

CATECHISE, *kat-e-kize*, is to instruct by asking questions.

CATECHISM, *kat-e-kism*, generally denotes an elementary book, containing the rudiments of any art or science in the way of question and answer; more particularly it is applied to such a work on the simpler doctrines of religion. Catechisms were first compiled about the 8th century; Luther prepared "larger" and "smaller" catechisms; and Calvin and other Reformers made similar compilations. The earliest catechisms of the Church consisted of no more than a repetition

of the baptismal vow, the Creed, and the Lord's Prayer; and these, together with the ten commandments, constituted at first that of the Church of England. Afterwards, as one result of the Hampton Court Conference, James I. commanded the bishops to add to it a short and plain explanation of the sacraments, which was accordingly done by Bishop Overall, then dean of St. Paul's, and approved by the rest of the bishops; and this is the Catechism of the Church of England now in use. The Shorter Catechism of the Westminster Assembly of divines is that adopted by Presbyterians, and taught in almost all the schools of Scotland.

CATECHUMENS, *kat-e-ku'-mens*, were the lowest order of Christians in the primitive church, and were admitted into that order by the imposition of hands and the sign of the cross. The time of their continuance in this state varied at different times and in different places; and frequently it depended upon the proficiency of the catechumens themselves. Though regarded in some measure as Christians, yet they were not even permitted to see the celebration of the eucharist. There were four orders of catechumens—1, the *Exochoimenoi*, or those receiving instruction privately without the church, and not yet allowed to enter it; 2, the *Audientes*, who were admitted to hear sermons and the Scriptures read in church, but not allowed to partake in the prayers; 3, *Genyteleutes*, so called because they received imposition of hands kneeling; 4, *Competentes* and *Electi*, the immediate candidates for baptism. The word is not uncommonly used to designate young persons who are being prepared for confirmation.

CATEGORICAL PROPOSITION, *kat-e-gor'-e-kal*, a proposition which affirms or denies absolutely, without any condition. They are of two kinds—*pure*, such as asserts simply one thing of another, as *the king reigns*; and *modal*, such as asserts one thing of another under a certain mode or form, as *the king reigns justly*. (See PROPOSITION.)

CATEGORIES, *kat-e-gor'-ees* (Gr. *kategoria*, from *kategoroea*, I declare or predicate), is a term applied to an arrangement or distribution under certain heads of all that may be said or predicated of any object of human thought. According to Aristotle, who enters fully into this subject in his "Organon," all the objects of our thought are comprised in the following ten categories:—substance, quantity, quality, relation, action, passion, where, when, position, possession; Philosophers are much divided in opinion as to the utility of those categories, some regarding them as worthless, others of great value. Mr. J. S. Mill, who objects to Aristotle's classification, attempts another of his own, as follows:—1, feelings, or states of consciousness; 2, the minds which experience these feelings; 3, the bodies or external objects which excite all that class of feelings which we call sensations; and 4, the sensations and co-existences, the likenesses and unlikenesses between feelings, or states of consciousness. The categories of Kant are purely subjective, being merely a classification of the conceptions or judgments of the understanding. They are—1, quantity; 2, quality; 3, relation; and 4, modality. In the first he includes unity, multitude, totality; in the second, reality, negation, limitation; in the third, substance and acci-

dent, cause and effect, action and reaction; and in the fourth, possibility, existence, necessity.

CATENA, *kat'-e-na* (Gr., a chain), in Biblical Criticism, is an exposition of a portion of Scripture, formed from collections out of several authors; such as the "Catene" of the Greek fathers in the "Ocotateuch" by Procopius; the "Catena Aurea" of Thomas Aquinas.

CATHARI, *ka-thai'-re* (Gr., *katharoi*, pure), a name given to several sects of Christians who made professions of greater purity in life or doctrine than others, and sometimes applied ironically to those who little merited the name. It was chiefly applied to the Novatians; but was given afterwards to various sects, known in France and other countries as Albigenses, Paterini, Paulicians, &c.

CATHEDRA, *ka-the'-dra* (Gr., a seat), denotes, in a general sense, a chair; more particularly, a professor's chair or a preacher's pulpit; and is also used for a bishop's see or throne in a church. Hence, to speak *ex cathedra*, is to speak with authority, as a bishop from his throne.

CATHEDRAL, *ku-the'-dral*, is a church in which the bishop's throne or seat (*cathedra*) is placed, and which is thus the chief or principal church in the diocese or district. It has usually, also, a dean and body of canons or prebendaries; but this is not essential to constitute a cathedral church, nor is every church that has a chapter of canons a cathedral. (See BISHOP, CANON.) The cathedral church is the parish church of the whole diocese, which, in early times, was commonly called *parochia*. In England no diocese has more than one cathedral (except that of Bath and Wells, formerly separate dioceses), but there are numerous instances of a plurality of cathedrals even in the same city, on the Continent, particularly in Italy; as at Rome, Milan, &c. The normal plan of an English cathedral is in the form of a Latin cross, that is a cross whose transverse arms are less than the longitudinal limb. Generally, its several parts are sufficiently distinguished as nave, choir, and transept, with aisles, western towers, and central tower; but in more minute description, especially where ritual arrangements are concerned, these terms are not always sufficiently precise; and in order to arrive at a more exact nomenclature, it is necessary to trace the changes in a cathedral church from the Norman period to our own. The cathedral service is the usual Church of England service, intoned, with an anthem and the Psalms chanted.

CATHERINE, KNIGHTS OF ST., an order instituted in Palestine in 1063. In 1714, Peter the Great of Russia instituted an order of ladies in honour of his empress, Catherine. The members were to be distinguished for purity of life and manners, implied by the Greek word *katharoi*, pure, from which the name Catherine is derived.

CATHOLIC, *kath'-o-lik* (Gr., *katholikos*, general, universal), a term first applied to the Christian church to distinguish it from the Jewish, which was confined to one nation or people. Afterwards, when sects and heresies arose, taking to themselves particular names, those who remained orthodox and adhered to the Church, called themselves Catholics, i.e. members of the Church general or universal. Hence, the Roman church now calls itself by the name of Catholic, regarding itself as the only true and

orthodox church, and holding that all who have separated from her are sectarians and heretics. (See ROMAN CATHOLICISM.) The Church of England uses the word in its general sense, as in the Apostles' Creed, "I believe in the holy catholic church."

Catholic Epistles.—The seven *Catholic epistles* are those of James, Peter, Jude, and John, and are so called probably because they were not written to any particular person or church, but to Christians generally.

Most Catholic Majesty, a title conferred on the sovereigns of Spain. It was first given in 739 by the Pope to Alfonso I.

Catholicoi, the title of the patriarchs or chief ecclesiastics of the Armenian Church and of the Christians of Georgia and Mingrelia.

CATHOLIC APOSTOLIC CHURCH.

The name assumed by the followers of the Rev. Edward Irving, about 1829. This church accepts many of the doctrines of other Christian churches; but, in addition, believes that it is entrusted with special work of preparation for the second coming of Christ. There are four orders of ministers: apostles; or "angels of the church;" prophets, who are the special means through which the Holy Spirit communicates the Divine will; evangelists, appointed to convey the Gospel to those who are without; and pastors to instruct the congregations. The ritual is elaborate, and auricular confession is practised, but not enjoined.

CATHOLIC EMANCIPATION ACT.

(See ROMAN CATHOLIC EMANCIPATION ACT.)

CATO-STREET CONSPIRACY.

On the 23rd of February, 1820, a gang of desperate men, headed by Arthur Thistlewood, were apprehended in Cato street, Edgware-road, where they had assembled for the purpose of arranging the assassination of Lord Liverpool and the other ministers at a cabinet dinner to be given at the residence of the earl of Harrowby, President of the council, in Grosvenor Square. Thistlewood and four others were executed.

CATOPTROMANCY, ka-top'-tro-man-se

(Gr., *katoptron*, a mirror, and *mantia*, divination), a species of divination among the ancients by means of a mirror. It is said that among the Achæans, a sick person was wont to let down a mirror, by a thread into a fountain before the temple of Ceres, and if on looking into the glass, his countenance appeared ghastly and distorted, it was regarded as an ill omen; but if fresh and healthy, as an indication that he would recover.

CAUCUS, kaw'-kus, a term used in America to denote a political meeting of a party for the purpose of agreeing upon candidates to be proposed for election to offices, or to concert measures for supporting certain candidates. A modification of the caucus, an association of adherents to a political party, who advise others how to vote, has recently been introduced into some of the large towns of England.

CAUL, kaw'l (Lat., *caula*, a fold), a thin membrane, sometimes found encompassing the head of a child when born. This was formerly regarded with great superstition, it being held to denote that the child so born would be very fortunate and escape many dangers. A caul was also believed to confer the like benefits upon its possessor; and hence they were frequently sold at a high price. They were regarded by seamen as an intallible preservative against drowning. Even very recently, a child's caul has been advertised for sale.

CAUSE, kaw'-ze (Fr., *cause*; Lat., *causa*), in ordinary language is understood to be that by which something known as the effect is produced, and without which it could not have existed. Aristotle divides causes into four different kinds—the *material*, *formal*, *efficient*, and *final*. The first is that of which anything is made, as the brass and marble of a statue. The formal is the form, idea, or pattern of a thing, as the artistic idea or plan of the statue. The efficient cause is the power acting to produce the work, as the mechanical labour employed in producing the statue. The final cause is that which led to the production of the thing, as the end or motive in view in the making of the statue. As will be seen from the examples given, it is possible for one object to combine all the kinds of causes. *Causation*, *causality*, or the action of a cause in producing an effect, is one of the most disputed points within the region of metaphysics. There is believed to be some connection between cause and effect; but the utmost scrutiny has never been able to discover any power by which the cause operates. Experience only teaches us how one event consequently follows another, without instructing us in the secret connection which binds them together. We believe that a cause is something which not only precedes, but has power to produce the effect. The various opinions as to the nature and origin of the principle of causality in the human mind are ranged by Sir W. Hamilton into two great categories—the one comprehending those theories which consider this principle as *empirical*, or *a posteriori*—that is, as derived from experience; the other, those which view it as *pure*, or *a priori*—that is, as a condition of intelligence itself. These two primary genera he subdivides into several subordinate classes. *Doctrine of final causes* which, with Aristotle, was merely an inquiry into tendencies, has, by the theologians of modern times, been employed to establish the truth of a divine providence. The argument from final causes, according to Dr. Reid, when reduced to a syllogism, has these two premises:—1, That design and intelligence in the cause may, with certainty, be inferred from marks or signs of it in the effect; and 2, that there are the clearest marks of design and wisdom in the works of nature; the conclusion being, that the works of nature are the effects of a wise and intelligent cause.

CAUTION, kaw'-shun, in the Scots law is an obligation by which a party binds himself as surety for the performance of any deed or obligation undertaken by another. It is similar to the English guaranty. (See GUARANTY.) *Judicial caution*, also by the Scots law, is when a debtor meditating flight is, on the sworn application of the creditor compelled to find *caution* to appear; and when a person is security for the appearance of a debtor at an appointed time.

CAVALRY, kaw'-al-re (Fr., *cavalerie*, from *cheval*, a horse), a name applied generally to soldiers mounted on horseback. The British cavalry consist of thirty-one regiments, of which two are called life guards, one horse guards, seven dragoon guards, and twenty-one ordinary dragoon regiments, which are classed as dragons, light dragons, lancers, and hussars, as follows:—Dragoons, 1st, and, 6th; Lancers, 5th, 9th, 12th, 16th, 17th; Hussars, 3rd, 4th, 7th, 8th, 10th, 11th, 13th, 14th, 15th, 18th, 19th, 20th, and 21st. Cavalry, in latter times, have been all-important in confirming and securing a vic-

tory, by pursuing the flying foe, and turning what might otherwise have been a retreat into a rout. But, in early ages, battles were mainly fought with cavalry, who were enrolled from among the nobles and the more wealthy part of the population. The natural features of Greece rendered it impracticable for the Greeks to make their cavalry of similar importance to that of other nations, and they depended entirely on their infantry; but the Romans, although they paid great attention to the discipline and effectiveness of their infantry, had large bodies of cavalry with every consular army, who were all men of good family and position. The cavalry of the Parthians was skilled in attack and flight when needful; they would lure on the foe by a feigned retreat, and bring down their pursuers with unerring aim while galloping at full speed on horseback. The cavalry of the Anglo-Saxons, and of the Huns, Goths, Vandals, and northern tribes that destroyed the mighty Roman empire, were justly famous, and composed the bulk of the armies of the day. The armies of the Middle Ages were composed chiefly of cavalry, and, in the time of the Crusades, infantry were but little esteemed; but at Agincourt, Cressy, and Poitiers, the English bowmen did gallant service, and, with the introduction of gunpowder and cannon into warfare, infantry and artillery began to equal cavalry in importance, and were soon considered more essential to bear the brunt of the battle. In the earlier part of the 18th century, the cavalry of Poland, or *Pospolite*, as it was termed, consisted of the nobles and *elite* of the kingdom, who were magnificently armed and accoutred. The Scots Greys was the first regular regiment of cavalry that was raised in England, by Charles II. in 1681. Since that time, the cavalry has always formed a distinguished arm of the British military service. The splendid achievements of the cavalry in the Crimea have been celebrated by Tennyson.

CAVEAT, *kav'-at* (Lat., *caveat*, let him beware; from *cavere*), is a judicial warning or caution used to stop certain proceedings. The caveat being lodged or entered, the proceedings are thereby stayed, and the promoter, if he intend to proceed, must warn the other party to his caveat, who can then enter and dispute the right in a suit to be instituted for the purpose of trying it. If he fail to do so, the matter will proceed as if the caveat had not been entered.

CELESTINE, *sel'-e-nt*, among logicians is a name given to a mode of syllogism, in which the major proposition and conclusion are universal negatives, and the minor a universal affirmative; as—None whose understanding is limited can be omniscient; every man's understanding is limited; therefore, no man is omniscient.

CELESTINES, *sel'-es-tines*, a religious order, founded about 1264, by Peter de Morrone, who was afterwards raised to the papal chair as Celestin V.; whence they took their name. This order speedily extended itself in Italy, France, Germany, and other parts of Europe. They are regarded as a branch of the great order of St. Benedict. Their habit consists of a white gown, a capuche, and a black scapulary. When they go out they wear a black cowl with the capuche. They are allowed no animal food except when ill, and have frequent fasts. They rise two hours after midnight to say matins. This order was numerous in the middle of last century, but

it is now nearly extinct. The French and Neapolitan Celestines were secularized in the latter part of the 18th century.

CELIBACY, *sel'-ib-a-se* (Lat., *celibis*, unmarried), is the state of unmarried persons. In the ancient world celibacy was generally viewed with disrespect, and legal enactments were sometimes issued against it. Among the Spartans those who lived in celibacy were subjected to various disadvantages, and in their old age were not treated with the same respect as other citizens. Among the Romans various means were adopted to discourage celibacy, and frequently fines were imposed upon old bachelors. Dionysius Halicarnassensis mentions an ancient constitution whereby all persons of full age were compelled to marry; but the first law of this kind of which we have any certainty was that enacted under Augustus, called *Lex Julia de Maritandis ordinibus*, and afterwards *Papia-Poppæa*, or *Julia Papia*, from certain amendments made on it under the consuls Papius and Poppæus. By this law divers prerogatives were given to those who had many children, and penalties imposed on all that led a single life—as, that they could not succeed to an inheritance except of their nearest relatives, unless they married within 100 days after the death of the testator. The Church of Rome imposes a universal celibacy on all its clergy, from the pope to the lowest deacon and sub-deacon. The advocates for this usage pretend that a vow of perpetual celibacy was required in the ancient Church as a condition of ordination even from the earliest apostolic times. This, however, was evidently not the case, for we possess numerous examples to the contrary. It is generally believed that most of the apostles were married men; St. Peter certainly was, and Philip, one of the seven deacons, was also a married man. St. Paul asserted that he had the power “to lead about a sister, a wife, as well as other apostles” (1 Cor. ix. 5). In the ages after the apostles, we have accounts of several married bishops, presbyters, and deacons. Polycarp mentions Valens, presbyter of Philippi, who was a married man; and there are still extant two letters of Tertullian, a presbyter of the 2nd century, addressed to his wife. Novatus was a married presbyter of Carthage, as we learn from Cyprian, who was, in the opinion of some, also himself married; and so were Cæcilius, who converted him, and Numidius, another presbyter of Carthage. Many of the ancient fathers, however, wrote in favour of celibacy; and as early as the beginning of the 4th century some persons in the Church advocated the passing of a law obliging the clergy to abstain from marriage. At the council of Nice, A.D. 325, a motion was made to that effect; but it was so strenuously opposed by Paphnutius, an Egyptian bishop, that it was laid aside. Sirivius, who died about the end of the 4th century, was the first pope who forbade the marriage of the clergy. In 566, the Council of Tours suspended for a year all secular priests and deacons who lived with their wives; and the Emperor Justinian by an edict declared all children born to a priest to be illegitimate and incapable of inheritance. Many ordained persons, however, resisted the law; and the council held at Constantinople, in 692, declared, in opposition to the Church of Rome, that priests and deacons might live with their wives. According to the ancient custom and ordinance of the apostles, Celibacy does not seem to have been completely

established in the Romish Church till the papacy of Gregory VII., at the end of the 11th century, and even then it was loudly complained against by many writers. The old English and Welsh records show that the clergy were married there as late as the 11th century. Celibacy was established in the Greek church by the council of Trullo, 682, but only as regards bishops. Presbyters, deacons, and all the inferior orders, may live in the married state after ordination. At the time of the Reformation the attention of the Romish Church was directed to this subject, and it was discussed at the council of Trent (1563), whether celibacy ought still to be maintained; but the majority were in its favour. A priest who marries incurs excommunication, and is incapable of any spiritual function; and if a married man wishes to become a priest, he receives consecration only on condition of separation from his wife, and that she of her own free will consent to the separation and take the vow of chastity.

CELLITES, *cel-lites*, a religious order, founded at Antwerp in the beginning of the 14th century. Their patron was one Alexius, a Roman; and hence, in Italy, they were called Alexians, but in the Netherlands and Germany, where they had many monasteries, Cellites.

CELTIBERI, *cel-ti-be-ri*, or *kelt-i-be-ri*, a people of ancient Spain, who are supposed to have been descended from the Celts of Gaul, who, having immigrated into Spain, became mixed with the native Iberians; and thus their descendants became distinguished for the best qualities of both peoples. They inhabited a large inland district of Spain, corresponding to the S.W. portion of Aragon, nearly the whole of Cuenca and Soria, and a large part of Burgos. They were a brave and warlike people, equally distinguished as cavalry and as foot-soldiers, and proved formidable antagonists both to the Carthaginians and Romans. They were subdued by Hannibal with difficulty; and, after having submitted to the Romans in the second Punic war, they subsequently revolted against them. It was not till after the wars of Sertorius that they were finally subdued, and began to adopt the Roman language and manners.

CELTS, OR KELTS, *celts, kelts* (Lat., *Celtæ*; Gr., *Keltaí*), an ancient race of people, which at one time appear to have inhabited the greater part of Central and Western Europe. The recent researches of philologists have shown that the Celtic language belongs to the Indo-Germanic group; but at what time they migrated westward is unknown. They appear to have been divided into two great families—the Gauls, who inhabited Gaul, to whom the name of Celts is more properly applied, and the Cimbri, or Cimærii, who appear to have migrated from Asia at a later period, and spread themselves over Germany to the Ocean. Herodotus, the father of history, mentions the Celts and Cynæte as inhabiting the remotest parts of Europe towards the setting of the sun, near the sources of the Danube. The power of the Celts in Europe was on the decline long before the time of Cæsar. The Gauls of Italy had been subjugated by the Romans; and in Gaul they were pressed on one side by the Belgæ and Germans, and on the other by the Iberians. The remains of the ancient Celts are now found in Brittany, Wales, the Highlands of Scotland, the Isle of Man, and

Ireland. The Celtic tongues are the Scotch and Irish Gaelic, the Manx, Welsh, Cornish, and Breton.

CENOBITES, *sen-o-bites*, monks who lived in communities, as distinguished from hermits or anchorites who lived alone. The founder of the Cenobite system was Pachomius, who, in the beginning of the fourth century, established a society of monks on Tabennæ, an island of the Nile, in Upper Egypt; and so popular did the new mode of ascetic life become, that, before a century had elapsed, there were at least 50,000 Cenobites, divided into twenty-four classes, according to spiritual attainments, and similar communities were established at other places.

CENSER, *sen-ser* (Fr., *encenser*, to perfume), a vase or sacred vessel used for burning incense. The Jewish censer was a sort of chafin-dish with or without a handle, and probably of various forms. Josephus tells us that King Solomon made 20,000 gold censers for the temple of Jerusalem to offer perfumes in, and 50,000 others to carry fire in. Censers were also much used by the Greeks and Romans, being by the former termed *thymiasterion*, and by the latter *thuribulum*. They are still used in the service of the Roman Catholic Church, and by some of the extreme Ritualists of the Church of England.

CENSORS, *sen-sors* (Lat., *censo*, I take account of), two officers among the ancient Romans, first appointed by the fifth king of Rome, Servius Tullius. After the abolition of the monarchy, the office of censor was held by the consuls. Special magistrates were ultimately elected: these were all patricians until 357 B.C., when Caius Marcius, a plebeian, was elected. A decree was afterwards issued which enacted that one of the two censors should always be a plebeian. The duties of the censorship were—to take the census and register the property of the Roman people; to superintend and watch over the public morality, and administer the public finances. The office was looked upon as the highest in the state next to the dictatorship, and was originally held for the term of five years, but afterwards only for a year and a half. The decisions of the censors were received with much reverence. As the regulators of public morality, they exercised absolute powers, which were much dreaded. In time these powers were extended from public investigation to private, and the censors could inflict disgrace on any person whose conduct they disapproved of, either in regard to business or domestic matters. In the regulation of the public treasury they took upon themselves the collection of all taxes, rates, and tithes; they also prepared the budget or statement of the national finances.

CENSORSHIP OF THE PRESS denotes that kind of examination by government officials, to which printed publications are in some countries subjected, previous to their coming before the public. Soon after the invention of printing, an ecclesiastical superintendence of the press was introduced, but was more completely established by bull of Leo X. in 1515. In this the bishops and inquisitors were required to examine all books before they were printed, and thus to prevent the promulgation of heretical opinions. This principle of censorship the Church of Rome still adheres to, and enforces in all countries where she has the power to do so. For the benefit of those countries in which she had not

the power to enforce her wishes, indices were prepared of such books as were not to be read under penalty of church censure. The *Index Librorum Prohibitorum* was commenced by the council of Trent (1546). For works of an established character which cannot well be prohibited, there is an *Index Expurgatorius*, denoting that they are only to be read after being corrected or expurgated. In those countries where Protestantism established itself, a censorship of the press was also maintained, but in a more modified form. In England it was the practice to license books to be printed, the licensing power being chiefly monopolized by the bishops. Hence, we frequently see the word *Imprimatur* (let it be printed) on old books. It was abolished in this country in 1694, and now any work may be published; but the parties concerned will be amenable to law if it contain anything illegal or libellous. There are different modes of censorship; but the more common are when the MS. has to be submitted to the examination of a public officer or licenser, who deletes any objectionable passages, or when the work is examined after being printed, and found to contain anything objectionable, its sale is prohibited, and the author or publisher liable for prosecution. (See PRESS, LIBERTY OF THE.)

CENSURE, *sen'-shure*, is a judgment condemning some book, action, or person. *Ecclesiastical censure* is a spiritual punishment inflicted by some ecclesiastical judge, whereby a Christian is deprived of communion with the Church, or a clergyman prohibited from exercising the sacerdotal office. These censures are excommunication, suspension, and interdict.

CENSUS, *sen'-sus* (Lat., *census*, from *censeo*, I tax, value, or esteem), denotes an enumeration of the people, such as is now made at stated periods in most of the countries of Europe. The practice of numbering the people appears to have prevailed in certain countries from a very early period. David incurred the Divine anger by numbering the people. Among the Greeks and Romans wealth comes to be regarded as an important principle in the state, and the census was taken more for ascertaining the wealth of the people, in order to adjust the rights and duties of citizenship among the different classes. The Roman census was taken with great care, and was very minute and full. The census, which at first was employed to ascertain the military strength of a people, and afterwards their wealth, may now be said to have in view the much more important object of ascertaining, in its widest sense, the social condition and progress of a people, with a view also to fusing out those conditions, physical and moral, upon which social progress and well-being depend. The first census of this country dates only from the beginning of the present century (1801). Since then a census of the people has been taken decennially, and much valuable information has in this way been collected as to the age, rank, sex, condition, &c., of each person. The last census was taken on 4th April, 1881. The census, in this country, is not limited to a mere enumeration of numbers, but includes particulars of age, occupation, birthplace, education, blindness, deafness, lunacy, and other bodily infirmities. In other countries, the period between the taking of each census varies generally from three to ten years; being three years in Belgium, Prussia,

and Austria, five years in France, and ten in the United States of America.

CENTAURS, *sen'-tors* (Gr., bull-slayers), a wild race of men who in ancient times inhabited Mount Pelion, in Thessaly, and who were fabled to have been half men and half horses—the upper part of the figure being that of a man, the lower that of a horse. They are believed to have been skilful horsemen, and the fable probably arose from the man and horse being mistaken for one animal. Their chief occupation was bull-hunting; whence they received their name. They are celebrated in Græk mythology on account of their war with the Lapithæ and their contest with Hercules. Figures of Centaurs appear in the Elgin marbles in the British Museum.

CENTRAL CRIMINAL COURT, *sen'-tral*, a court established in 1834 for the purpose of trying cases of treason, murder, felony, and misdemeanour committed within the city of London, the county of Middlesex, and parts of Essex, Kent, and Surrey. It is also authorized to try offences committed on the high seas and other places within the jurisdiction of the Admiralty of England. The judges may consist of any two or more of the following persons:—the lord mayor of the city of London for the time being, the lord chancellor, the lord keeper of the great seal, and all the judges of the high court of Judicature, the aldermen of the city of London, the recorder, the common serjeant, and such others as the Queen, her heirs and successors, shall from time to time name and appoint by any general commission, the sessions are held twelve times a year in the courts in the old Bailey, and the judges generally selected are two common-law judges, the recorder, and common serjeant of the city of London, and a commissioner. The sheriffs of the city of London and of the counties of Middlesex, Essex, Kent, and Surrey, summon the jurors according to the district in which they live. Jurors from Essex, Kent, and Surrey, who have served upon any jury at this court, are exempt, during the ensuing twelve months, from serving upon any jury in any court held in the county in which they reside, except the sessions of the peace.

CENTRALIZATION, *sen'-tral'-i-zai-shun* (Gr., *kentron*, a point, the centre), denotes generally the bringing or reducing to a centre or within small compass, and is frequently applied in politics to the tendency to bring together all the departments of state administration to one centre—to remove all local offices to the capital.

CENTURIES OF MAGDEBURG, *sen'-tu-rees*, the name of the first great Protestant history of the Church, and is so called from being divided into centuries, each volume taking up 100 years, and from Magdeburg, the city where it was prepared. It was projected by Matthias Flacius, about 1552, and the first volume was published at Bale in 1559. Thirteen volumes have appeared, bringing the history down to 1300. It is a work characterized by great judgment, learning, and fidelity. Each century is treated under sixteen distinct heads or chapters, viz.:—1, General View of the Period; 2, Extent and Propagation of the Church; 3, Persecution and Tranquillity of the Church; 4, Doctrine; 5, Heresies; 6, Rites and Ceremonies; 7, Government; 8, Schisms; 9, Councils; 10, Lives of Bishops and Doctors; 11, Heretics; 12, Martyrs;

13, Miracles; 14, Condition of the Jews; 15, other Religions; 16, Political Condition of the World. In the preparation of the work there were five general directors and ten paid agents, seven of whom, well-informed students, were employed in collecting materials; two of greater learning and experience arranged the matter thus collected, and submitted it to the directors, after which an amanuensis was employed to make a fair copy of the whole.

CENTURION, *sen-tu-re-on*, the commandor of a subdivision of a Roman legion which consisted of 100 men.

CERDON, *ser'-don*, an ancient sect of heretics, so called from one Cerdon, who flourished at Rome about A.D. 140.

CEREMONY, *ser'-e-mo-ne* (Lat., *ceremonia*, a sacred rite), is applied to certain forms or rites by which an act is rendered more grand or impressive. Ceremonies may be said to be of four kinds:—1, social; 2, sacred; 3, stato; 4, international. (See various headings, and state ceremonies under such heads as CORONATION, PRESENTATION, OPENING OF PARLIAMENT, &c.)

CERINTHIANS, *se-rin'-thi-ans*, the followers of Cerinthus, were among the earliest of the sects of heretics that sprang up in the Christian church. What the exact nature of their doctrines were it is difficult to say, for the accounts given of them are various and contradictory; but they seem to have much resembled, if they were not identical with, those of the Gnostics. (See Gnostics.)

CERTAINTY, CERTITUDE, *ser'-tāin-te* (Lat., *certum*, from *cerno*, I perceive), is applied primarily to the state of a person's mind when he feels sure or convinced of anything; but is also applied to the truths or events respecting which this conviction may be entertained. Certainty is *physical* when it is according to the laws of nature; *moral* when in accordance with the common order of things and the received opinions of mankind; and *metaphysical* when springing from intuitive beliefs, as the first principles of natural law. According to the mode in which it is attained, certainty is *immediate* when by sense or intuition, or *mediate* when by reason and demonstration.

CERTIFICATE, *ser'-tif'-e-kait* (from Low Lat., *certus*, certain; *facio*, I make), a testimony in writing as to the truth of a fact, or number of facts. Certificates for a variety of purposes, are recognized by the law of England.

Certification, in the law of Scotland, is the judicial intimation given of the course to be followed by the judge in case a party disobeys a summons or other writ or order of the court.

CERTIORARI, *ser'-ti-o-rai'-ri* (Low Latin, *certioro*), is a writ issued by one of the divisions of the High Court of Judicature, directed in the queen's name to the judges or officers of inferior courts of record, commanding them to return the record of a cause or matter depending before them, to the end that the party may have the more sure and speedy justice. The object of this writ is to obtain relief from some inconvenience supposed in the particular case to arise from a cause being allowed to proceed to trial before an inferior jurisdiction, less capable than the superior court of rendering complete and effectual justice, or to quash the orders or proceedings of such in-

ferior jurisdiction. The writ is also issued when peers are indicted for treason, or felony, or for misprision of either, but not for any other offence. Under the writ the indictment is removed into the court of the Lord High Steward of Great Britain, in order that the defendant may be tried by his peers. A *certiorari* to remove an indictment may be granted at the instance of either the prosecutor or defendant; but before it be granted to any person (except the attorney-general), the application for it must be by motion made before some judge of the higher court: and recognizances must be entered into in such sums and with such sureties as the court or a judge may direct.

CESSIO BONORUM, *ses'-si-o bon-o'-rum* (Lat., *cessio* of goods), in Scots law is a process by which an insolvent surrenders his property for behoof of his creditors, and is, in consequence, set free from prison or obtains protection.

CESSION, *ses'-hun*, the voidance of a benefice or dignity in the church, arising from the accepting of another, which is by law incompatible with it. This voidance takes place, *ipso facto*, upon the acceptance of the second benefice, and the patron may at once, without any express resignation, present a new incumbent and require his admission.

CESTUI QUE TRUST, *ses'-e-ke* (Norman-French), is the person for whose benefit a *passive*, or *active*, or special trust is designed, and reposed in some other person to execute, and his interest is described as a *trust estate*: which distinguishes it from a *use* on the one hand, and from *legal estate* on the other. (See TRUST.)

Cestui que Use is one who has the beneficial ownership or use of land, the legal seisin or feudal tenancy of which is in another, either by express declaration or deed, or by implication, from the nature of the conveyance itself. (See USES.)

Cestui que Vie, *ses'-e-ke-vie*, is one for whose life any lands or tenements are granted.

CHAFF, OR CHAFF-WAX, *tschaf'-waks*, was an officer in chancery who fitted the wax for the sealing of the writs and such other instruments as were delivered out under the great seal, or seal of the court.

CHAINS, HANGING IN.—In former times the body of a malefactor who had suffered death was hung in chains upon a gibbet near the place where the crime was committed, and allowing it to rot there as a terror to other offenders. It was only in 1834 that a law was passed abolishing this practice in England.

CHALDEAN CHRISTIANS *kal-de'-an*, a branch of the Church of Rome, consisting of those Nestorians who acknowledge the Pope. They are of the Eastern rite, and are under the patriarch of Babylon and twelve bishops, three of whom reside in Persia. They number about 70,000.

CHALDEAN PHILOSOPHY, *kal-de'-an*.—The ancient Chaldees early turned their attention to the study of the heavenly bodies. To them they paid divine worship and honours; and the study of their movements became a part of the priestly office. The sun-god, moon god, and air god, were ranked after the four supreme deities. The learning of the Chaldees was greatly extolled in ancient times by Jews as well as Greeks; and they are generally allowed to have been the first people who made any con-

siderable progress in astronomy. The determination of the lunar periods, of the equinoctial and solstitial points, a more precise definition of the solar year, the division of the ecliptic into twelve equal parts, of the day into twelve hours; the signs, names, and figures of the zodiac; the invention of the dial—are among the improvements in astronomy attributed to the Chaldees. It is said that Callisthenes, who accompanied Alexander the great on his expedition, brought back with him from Babylon a series of astronomical observations extending over 1,903 years, or 2,234 years before the Christian era; and the recent explorations of the sites of Assyria and Babylon have brought to light a vast number of astronomical records. Astrology was also much practised among the priests, who, from the movements among the heavenly bodies, professed to be able to foretell future events. The interpretation of dreams, divination, incantations, and auguries, also occupied an important place in their system of knowledge; and magic formulae for warding off the attacks of demons were extensively used.

CHALDEANS, OR CHALDEES, in its widest sense, and as used by the later Hebrew prophets and Greek and Roman writers, was synonymous with Babylonians, the ancient inhabitants of Babylonia; more strictly, it was applied to the people inhabiting the south-west part of that kingdom—the country extending along the Persian gulf from the Euphrates to the Arabian desert. The more northern districts were generally named Mesopotamia but the distinction has not been distinctly preserved. The Hebrew name was "Chardin," or "land of the Chardin," (Chaldees). Some recent philologists think that the name was originally Card, changed in course of time to Chasd and Chald, and preserved in the modern Kurd. The Chaldeans were also an order of persons in Babylonia who are in the book of Daniel classed with the magicians and astrologers, and were consulted by the king on matters of religion, evidently forming a sort of priest class. We read that the king, Belshazzar, "cried aloud to bring in the astrologers, the Chaldeans, and the soothsayers." They also constituted the learned class of the people; and the term Chaldeans is applied by Greek and Roman writers to the whole order of the learned men of Babylon.

CHAMBER, *tshain-ber*, is the place where parliaments or councils are held. The term is also applied to the assemblies themselves, established for state purposes. The continental parliaments are frequently spoken of as the chambers; and in this country it is not uncommon to distinguish the Houses of Lords and Commons as the upper and lower chambers.

CHAMBERLAIN, *tshain-ber-lain* (Fr., *chambellan*), is variously used in our laws, statutes, and chronicles, and is also used in domestic matters as the attendant in a household who has the special charge of the great chamber. In "The Dream of Eugene Aram," Hood says: "Guilt was my grim chamberlain that lighted me to bed."

The Lord Great Chamberlain is a hereditary officer of great antiquity, and was once of the highest dignity in the State. The office was conferred by Henry I. on the family of De Vere, earls of Oxford, and was enjoyed by them for nearly six hundred years. On the death of the eighteenth earl, without issue, the honour descended, by a female heir, to the family of Bertie, and

is now held jointly by the families of Cholmondeley and Willoughby d'Erosby, each family enjoying it alternately in each succeeding reign. He attends on the sovereign at the coronation, has the care of the palace at Westminster, the fitting up of Westminster Hall for coronations, feasts, and other great occasions; he attends upon peers at their creation, and upon bishops when performing their homage to the sovereign. Many perquisites and fees belong to this office; but the former are usually compounded for at the performance of any of those ceremonies where they are claimed. The delivery of the sword of state to a distinguished member of the existing administration is left wholly to the choice and discretion of this official. Upon all occasions of public ceremony, the gentleman usher of the black rod, the yeoman usher, and the doorkeepers of the Palace of Westminster, are at his command.

Lord Chamberlain of the Household, who is not to be confounded with the preceding, is an officer of the royal household, having superintendence and control over all the servants employed about the royal chambers, except those of the bedchamber. The royal chaplains and other officers of the chapel royal, the physicians, surgeons, and apothecaries of the household, as well as the royal tradesmen, are by his appointment. He has the oversight of the queen's band, and of all comedians, trumplers, and messengers. The performance of stage plays in the metropolis and at Windsor, and wherever there is a royal palace, is not legal unless in a house or a place licensed by the lord chamberlain, whose license is also necessary to render legal the performance of a new play in any part of Britain. Persons to be presented at levees or drawing-rooms are required previously to send their cards to him, and it is his duty to see that such persons are entitled to be presented to the sovereign, and he issues all invitations to state balls, concerts, &c. He is also a member of the privy council, and his tenure of office expires with his party. He has a salary of £2,000 a year, and is assisted in his duties by a vice-chamberlain, whose tenure is also dependent on the administration, and who has a salary of £974.

Chamberlain of the City of London is an officer of considerable trust and dignity. He acts as treasurer of the corporation, regulates the admission of freemen, and settles disputes between masters and apprentices. He is chosen annually by the livery at large; but in practice the office is usually for life, the same person being re-elected each year.

CHAMBERS, JUDGE AT. In legal practice applications respecting matters of minor importance are made to a judge out of Court, "at chambers;" and when the courts are not sitting, or when the judges are on circuit, one remains in town to hear such applications.

CHAMBRE ARDENTE, *shambr-ar-dant'* (Fr., burning chamber), was the name given to a tribunal, established by Francis I. about 1535, for the special object of trying and condemning heretics to be burnt. Afterwards the name was given to the extraordinary commissions established under Louis XIV. for the investigation of cases of suspected poisoning, consequent on the conviction of the notorious Marchioness Brinvilliers, and, under the regency of the duke of Orleans, to inquire into the charges against certain officers of the public revenue.

CHAMBRE INTROUVABLE (Fr., the undiscoverable chamber), a name bestowed, in ridicule, on the chamber of deputies which met after the second restoration of Louis XVIII. (1815), on account of its coldness and anti-nationality.

CHAMP DE MARS AND CHAMP DE MAI, *sham(p)-de-mar* (Fr.), public assemblies of the Franks, which were instituted as early as their conquest of Gaul in the 5th century. At first these were held annually in the month of

March, and were hence called the *March-fields* (*Champ de Mars*); but in the 8th century king Pepin transferred the time of meeting to the month of May; whence they were termed *May-fields*. At these meetings, the king, courtiers, bishops, nobles, and people assembled together for the discussion of public affairs, such as war, peace, the enactment of laws, all which questions were decided by the majority. The common people, however, long neglected their privilege of attending, and were at length deprived of it. Charlemagne in some measure restored it to them by ordering that every count should bring with him thirteen assessors, or the same number of the most respectable men within his jurisdiction, to represent the people in the general assembly. The first descendants of Capet departed from this usage; but Philip IV. (1285-1314) restored the third estate by calling together delegates from the cities. In the revolutionary period, and during the first empire, many public celebrations took place here. The modern Champ-de-Mars is a large open space in Paris, where reviews and public ceremonies are held.

CHAMPERTY, *sham'-per-te* (Lat., *campi partitio*; Fr., *champart*), in Law, is a species of maintenance, and punished in the same manner, being a bargain made by a man with a plaintiff or defendant, *campum partire*—to divide the land or other matter sued for between them, if they prevail at law; whereupon the *champertor* is to carry on the party's suit at his own expense. Thus *champart*, in the French law, signifies a similar division of profits, being a part of the crop annually due to the landlord by bargain or custom. In our sense of the word, it signifies the purchasing of a suit, or the right of suing—a practice so much abhorred by our law, that it is one main reason why a *chase en action*, or thing of which one has the right, but not the possession, is not assignable at common law, because no man should purchase any pretence to sue in another's right. By the Roman law, such offenders were punished by the forfeiture of a third part of their goods and by perpetual infamy. Hitherto must also be referred the provisions of the statute 32 Hen. VIII. c. 9, that no one shall sell or purchase any pretended right or title to land, unless the vendor hath received the profits thereof for one whole year before such grant, or hath been in the actual possession of the land, or of the reversion or remainder, on pain that both purchaser and vendor shall each forfeit the value of such land to the king and the prosecutor. (See **BARRATRY**, **MAINTENANCE**.)

CHAMPION, *tsham'-pe-on* (Fr.), in the Middle Ages was a person who took up the cause and fought in the room of another, who from age, infirmity, or other cause, might be so represented. Single combat was one of the ways frequently adopted in the Middle Ages to decide the right of a cause; and women, children, or aged persons, were allowed to appear by a representative. At one time the champions formed a particular class, were compelled to wear a particular dress, and were looked upon as disreputable, being ready for hire to take up any quarrel. At a later period, however, during the ages of chivalry, the champion was a knight who entered the lists on behalf of an injured lady, a child, or one incapable of self-defence.

King's Champion of England.—This is a very ancient office, and is annexed to the Scireless estate in Lincolnshire, having been held by the Dymoke family for

many generations. The champion, armed *cap-a-pie* and mounted on horseback, enters Westminster Hall during the coronation banquet, and proclaims by a herald "that if any one shall deny the king's title to the crown, he is there ready to defend it in single combat; after which the king drinks to him, and then sends the cup to the champion, who drinks, and then carries off the cup as his fee."

CHANCE, *tshance*, may be said to denote the cause or mode of happening of an event which is unexpected, or the cause of which is not manifest to human reason. Originally, it was applied to events which were believed to happen independent of any law or cause; but this is a sense in which it is now seldom or never employed; for both reason and revelation assure us that there is no such thing as chance in this sense. Everything has its own law and its proper cause, and chance merely denotes that we do not know the proper cause nor the law according to which a phenomenon occurs. (See **PROBABILITY**.)

CHANCELLOR, *tsham'-sel-tor* (Lat., *cancellarius*, from *cancelli*, lattice-work or railings), denoted originally a porter or doorkeeper; one stationed at the lattice-work of a window or doorway to introduce visitors. Afterwards, under the later Roman emperors, the name was given to a kind of secretary or scribe in the courts of law, from his position behind a screen or lattice-work separating him from the rest of the hall of justice. Gradually he appears to have risen in power and authority, and to have acquired certain judicial powers and a kind of superintendence over the other officers of the empire. From the empire the title and office passed to the Roman Church; and when the modern kingdoms of Europe were established upon the ruins of the empire, almost every state preserved its chancellor, with different jurisdictions and dignities, according to their different constitutions. In all he seems to have had the supervision of all charters, letters, and such other public instruments of the crown as were authenticated in the most solemn manner; and therefore, when seals came to be used, he had the custody of the king's great seal. The highest minister of the German empire has the title of chancellor.

Chancellor of a Bishop or Diocese, is vicar-general to the bishop, directing and assisting him in all matters of ecclesiastical law, and holding his courts for him. It is not necessary that he be an ecclesiastic, but, if a layman or married, he must, by the canons, be at least a doctor of civil law.

Chancellor of a Cathedral, is an officer who superintends the arrangements for the regular performance of the religious services.

Chancellor of a University, is usually the highest officer of the university, and exercises exclusive jurisdiction in all questions that concern the members of the university.

Chancellor of the Duchy of Lancaster, is an officer appointed chiefly to determine controversies between the king and his tenants of the Duchy of Lancaster. The court is held at Westminster, but is not much resorted to, and is usually presided over by the chancellor's deputy.

Chancellor of the Exchequer. (See **EXCHEQUER**.)

Chancellor of the Order of the Garter, and other orders of knighthood, is an officer who seals the commissions and mandates of the chapter and assembly of the knights, keeps the Register of their proceedings, and delivers acts thereof under the seal of their order. He also exercises various functions at the installation of the knights.

CHANCELLOR, LORD HIGH, in England, was originally the Sovereign's chief secretary, and, from the nature of this office, his

adviser, and was hence called the keeper of the king's conscience. Petitions and claims were referred to him, and he formally prepared the royal grants and charters, affixing the king's seal to them. He thus became keeper of the great seal, and was invested with great discretionary power. He is created by the will of the Sovereign, by the mere act of delivering the great seal into his custody, and he holds office during the pleasure of the Crown; but practically he resigns office with his party, being always a member of the Cabinet. He is, by prescription, Speaker of the House of Lords, and, by virtue of his office, a member of the Privy Council. He issues writs for summoning Parliament, and transacts all business connected with the custody of the great seal. He is principal adviser of the Crown in matters of law, chief judge in the Chancery division of the High Court of Justice, and the head of the profession of the law. He appoints nearly all the judges of the superior courts, the commissioners in bankruptcy, and the judges of the county courts; appoints all justices of the peace, though usually upon the recommendation of the lords-lieutenant of the several counties, and is patron of all Crown livings rated under £20 (in the reign of Henry VIII.). He is visitor, in right of the Crown, of all hospitals and colleges of royal foundation; has the general guardianship of all infants, idiots, and lunatics; and exercises a special jurisdiction in questions relating to charities and trust estates. He ranks above all dukes not of the blood royal, and next to the archbishop of Canterbury. He has a salary of £3,000 a year, and, as Speaker of the House of Lords, of £4,000, and an annuity of £5,000 on retiring from office. There have been occasions when for a brief time the office has been vacant, and the great seal "put into commission." In former times the Lord Chancellor was not uncommonly an ecclesiastic, the last who held the office being Archbishop Williams of York, 1621-1625.

In Ireland, there is also a Lord Chancellor, whose authority within his own jurisdiction is in most cases the same as that of Lord Chancellor of Great Britain. He is appointed only during pleasure, and retires with the political party at whose instance he had been appointed. His salary is £8,000 per annum.

In Scotland, prior to the union of the two kingdoms in 1707, there was also a Lord Chancellor, whose duties were analogous to those of the Lord Chancellor of Great Britain. At the Union this office was abolished, and in its place that of keeper of the great seal was created, for affixing the great seal to such writs as have to pass under it.

CHANCE-MEDLEY, or CHAUD-MEDLEY (Fr., *chaud*, hot; *medle*, a fray).—The former signifies a *casual* affray, the latter an affray in the heat of blood or passion, in which death ensues to the assailant. (See MAN-SLAUGHTER.)

CHANCERY. (See JUDICATURE, HIGH COURT OF.)

CHANDOS CLAUSE, *shan-dos'*, is applied to a clause of the Reform Bill which gives the franchise to tenants under lease or at will in the counties paying not less than £50 of rent. During the discussion on the Bill, an amendment to this effect was made by the marquis of Chandos, and carried, after much opposition, by a majority of 34. It was afterwards in the Bill and carried as a clause by 272 to 32. (See REFORM BILL.)

CHAOS, *kaï-os* (Gr.), is applied to the confused mass, or the state of confusion, in which

matter is supposed to have existed before it was reduced to order by the creating power of Deity. In the ancient Greek mythology, chaos was the vacant infinite space which existed before the creation of the world, and the formation of a *kosmos*, or harmonious order. Chaos, according to Hesiod, produced by and out of itself Erebus and Night, who in turn were the parents of Æther and Day.

CHAPEL, *tshap'-el* (Lat., *capella*; Fr., *chapelle*), is an edifice for public worship, usually of a lower order, or not possessed of the same privileges, as a church. Where parishes are large or populous, parochial chapels, or chapels of ease, have frequently been erected for the accommodation of the people, with the consent of the bishop; and many of these have had districts assigned to them with the cure of souls, and the right of celebrating baptisms, marriages, &c., under special acts of parliament. Dissenting places of worship are also usually called chapels. The term is also applied to places for the celebration of religious worship in the houses of noblemen, hospitals, colleges, and similar establishments. In Catholic countries the term chapel is used to designate separate erections either within or attached to a church or cathedral, and devoted to special services. These are also called chantries.

CHAPLAIN, *tshap'-lain* (Lat., *capellanus*), properly a person who performs divine worship in a chapel, as distinguished from one who officiates in a parish church. Hence it is also applied to those who are engaged to perform religious services in the army and navy, in families of distinction, hospitals, workhouses, cemeteries, &c. Forty-eight clergymen hold office as Chaplains to the Queen in England, four being in attendance at the chapel-royal every month. Six clergymen of the Church of Scotland have a similar title in Scotland; but their only duty is to conduct prayer at the election of Scotch representative peers. The nobility enjoy the right of appointing a certain number of private chaplains who are entitled to certain privileges respecting the holding of benefices, &c.; thus, an archbishop may have eight, a bishop or duke six, a marquis or earl five, a viscount four, &c.

Army Chaplains. About 80 chaplains (including some Roman Catholics and Presbyterians) are attached to the staff of the British army, for the purpose of performing religious services, visiting the sick at the hospitals, and assisting the work of the regimental schools. The chaplains of the established church are under the control of a chaplain-general of the forces, who receives a salary of £1,000 a year. Chaplains receive from 10s. to 22s 6d. a day, besides allowances.

Navy Chaplains.—A chaplain is attached to every ship in commission down to, and including, fifth rates.

CHAPTER, *tshap'-ter* (Lat., *capitulus*; from *caput*, the head), is applied to the society of canons in a cathedral or collegiate church, of which the dean is the head, and which form the council of the bishop. (See CANON and CATHEDRAL.) Attached to many cathedrals and collegiate churches are buildings for the meeting of the chapter, called *chapter-houses*, many of which are of great beauty.

CHAPTERS, THE THREE, are frequently alluded to in the ecclesiastical history of the 6th century, and occasioned much discussion in the Church, as they were believed to support Nestorianism. They were—1. the writings of

Theodore of Mopsuestia; 2, the books which Theodoret of Cyrus wrote against Cyril's anathemas of the Nestorians; and 3, the letter which Ibas of Edessa published against the council of Ephesus which condemned Nestorius. They were condemned by the emperor Justinian in 544; but the African and Western bishops, especially Vigilius of Rome, opposed the edict.

CHARACTER, *kar'-ak-ter* (Gr., *charasso*, to cut or engrave), the peculiarity by which an individual is distinguished from another of the same kind. It also means "repute," as a "good" or a "bad character." The testimony of an employer to the conduct of a servant when the latter seeks other employment is also termed a character. An employer is not legally compelled to give a character, but if he does so, he is bound to be truthful.

CHARGE, *tsharje* (Fr., *charger*), is the address delivered by a bishop or archdeacon at a visitation of the clergy under his jurisdiction. Among Presbyterians and dissenters generally, it is a sermon preached to a minister at his ordination, usually by some aged or able preacher, and bearing upon the nature, duties, trials, and encouragements of the pastoral office.

In Law, an incumbrance upon property; as an annuity, mortgage, judgment, or any liability to which it is made subject by a deed, will, or other instrument, or by the operation of law or equity.

CHARGE D'AFFAIRES, *sharj'-duf-fair'* (Fr.), is the fourth order of diplomatic agents, and is accredited not to the sovereign, but only to the individual who, for the time being, holds the office of principal secretary of state or minister for foreign affairs. Sometimes they are only empowered to act during the absence of the ambassador; at other times, they are independent of any ambassador.

CHARISMA, *ka ri'-sma* (Gr., a gift), a term frequently employed in the early Church to denote the extraordinary endowments conferred on the primitive Church; as the gift of tongues. It was also applied sometimes to baptism.

CHARITY, *tshar'e-te* (Lat., *caritas*, from *carus*, dear; Gr., *agape*, love), one of the three great theological virtues, consisting of love to God and our neighbours, or the habit and disposition of loving God with all our heart and our neighbour as ourselves. In a narrower sense, it signifies kindness, goodwill, and forbearance towards mankind in general, and, in a still lower sense, the giving of alms. St. Paul, in a well-known passage, describes charity as the greatest of the Christian grace. In the revised version of the New Testament, the Greek word is translated "love."

Charities, Metropolitan.—There are 1,003 charitable institutions in the metropolis, including hospitals, dispensaries, nursing institutions; asylums for the blind, idiotic, and incurables; orphanages, reformatories, Bible and book societies, missions, and many other purposes. The total annual income of these charities combined is considerably over £4,000,000.

Charity Commissioners for England and Wales are a body of commissioners created by the Charitable Trusts Act of 1853, for inquiring into all charities, their nature, objects, and administration, and the condition of the property belonging to them, with power to call for the production of accounts and documents from trustees, and to appoint inspectors to visit and report upon their management. Their powers do not extend to Scotland, Ireland, the universities, or London. A report of their proceedings must annually be laid be-

fore Parliament. Amendments Acts were passed in 1855 and 1871.

Charitable Relief, Society for Organizing, was established in 1869, for the purpose of avoiding the impositions encouraged by promiscuous alms-giving. There are nearly 40 offices where applications are received and inquiries made.

Charity, Sisters of. (See SISTERS OF CHARITY.)

Charity Schools.—These schools were instituted in London in 1687-8, to prevent the infant poor being taken into Roman Catholic seminaries. The annual meeting of the children of the schools, at St. Paul's, was, till recently, one of the sights of London.

CHARTA MAGNA. (See MAGNA CHARTA.)

CHARTER, *shart* (Lat., *charta*, paper), in French History, was originally applied to the letters or charters by which the French kings conferred rights or privileges on certain towns or communities; but it is now applied to the solemn acknowledgment made by Louis XVIII., on his restoration in 1814, of the rights of the French nation. It consisted of 67 articles, and in principle was somewhat analogous to the Magna Charta and Bill of Rights of the British constitution. A misconstruction of one of the articles of this charter led to the revolution of 1830. It constituted the fundamental law of the French constitution down to the revolution of 1848, when a new state of things was introduced.

CHARTER, *tshar'-ter* (Fr., *chartre*), is the written evidence of things done between man and man; and charters are divided into those of the sovereign and those of private persons. Charters of the sovereign, "royal charters," are those whereby he passeth any grant to a person or body politic; as a charter of exemption, of privilege, pardon, or the like. Charters of private persons are deeds and instruments for the conveyance of lands.

In Scotch Law, the written evidence of a grant of heritable property, under condition, such as that the person obtaining the grant shall pay sums of money at certain periods, or perform certain services.

CHARTERHOUSE (a corruption of *Char-treuse*, i.e., Carthusian), is an hospital, chapel, and schoolhouse in London, instituted in 1611 by Thomas Sutton, of Camps Castle, in the county of Cambridge. The site which it occupies (near Smithfield) was bought for a public burial-place during the great plague of 1349, by Sir Walter de Manny, who, in conjunction with the bishop of London, afterwards established here a Carthusian monastery. After the dissolution of the religious houses by Henry VIII., the property passed through various hands, until it was purchased for £13,000 by Thomas Sutton, who founded upon it, and richly endowed, an hospital, chapel, and school, called by Fuller a "master-piece of English Protestant charity." It has a master, preacher, head schoolmaster, second master, with forty-four boys and eighty decayed gentlemen, who are provided each with a separate room, good diet, and about £26 a year. In addition to the scholars, who are admissible between the ages of ten and fourteen, and receive free board and education, there are a number who attend the school only during the day, or board with the masters. The Charterhouse is regarded as one of the best of the public schools, and many eminent persons have been educated here; among whom may be mentioned Dr. Isaac Barrow, Sir William Blackstone, Addison, Steele, John Wesley, Bishop Thirwall, George Grote, W. M. Thackeray, who, in his novels, frequently

alludes to the school as "Greyfriars," and Sir C. Eastlake. The school was removed to Godalming, in Surrey, in 1875.

CHARTISTS, *tshart'-ists*, members of a political party that sprang up in England after the passing of the Reform Bill, and who were so called from their principles being embodied in a document termed the "Charter." In the autumn of 1838 monster meetings of the working classes were convened at Birmingham and other parts of the manufacturing counties, and highly inflammatory speeches were addressed to them. The Charter was drawn up by a committee of six members of parliament and six members of the Working Men's Association. The principal points of the Charter were:—1, That every male inhabitant of the United Kingdom, 21 years of age and of sane mind, provided he be a native of these realms, or have lived upwards of two years in the country and been naturalized, and be unconvicted of felony, shall be entitled to vote in the election of members of parliament; 2, that the United Kingdom be divided into 300 electoral districts, so as to give uniform constituencies of about 20,000 voters each; 3, that the voting be by ballot; 4, that a new parliament be elected annually; 5, that no property qualification be required for members of parliament; and 6, that every member be paid £500 a year out of the public treasury for his services. Unfortunately the majority of the Chartists did not confine themselves to the points of the Charter. Many of them advocated an entire redistribution of property. Ignorant of the principles of political economy, they demanded the establishment of a new relationship between capital and labour, and adopted the cry of "A fair day's wages for a fair day's work." Many of them, further, took up the view that they might, if necessary, employ physical force to obtain their ends. In May, 1839, a petition, signed by 1,280,000 persons, was presented to Parliament in favour of the Charter, and during that year serious riots took place in various parts of the country, and various of the ringleaders were imprisoned. An outbreak at Newport, in the month of November, resulted in the death of ten persons and the wounding of many more; and three of the leaders, Frost, Williams, and Jones, were sentenced to death; but their punishment was afterwards commuted to banishment. The stringent measures adopted by the Government at length served to repress these violent commotions; and though, in 1842, and again, in 1848, outbreaks took place, these were of a less serious nature, and were speedily put down. Some of the points of the Charter have since been adopted. Votes are now taken by ballot, the property qualification has been abolished, and we have a near approach to manhood suffrage.

CHARTREUSE, LA GRANDE, *shar-treuz'*, the chief monastery of the Carthusian order in France, about thirteen miles from Grenoble. (See CARTHUSIANS.) It was founded by Bruno of Cologne, at Grenoble, in 1084. Expelled during the Revolution, the monks returned to their monastery in 1814.

-CHASE, *tshaise* (Ang.-Nor.), is a franchise granted by the Crown to a subject, empowering the latter to keep, for his diversion, within a certain precinct so called, the wild animals of chase (which, in a legal sense, are the same with those to which the right of forest extends); but not

authorising the establishment of forest law within such precinct. It has been described as "a smaller forest in the hands of a subject, but not governed by the forest laws." It differs from a park in that it is not inclosed, and likewise in that a man may have a chase in another man's grounds as well as in his own; being, indeed, the liberty of keeping beasts of chase or royal game therein, protected even from the owners of the land, with a power of hunting them thereon.

CHASIDIM, *tshas-e'-dim'* (Heb., Pietists) is a name given collectively to a whole class of Jewish sects. Among the ancient Jews, the name was given to a sect organized for the purpose of opposing Grecian innovations, and probably identical with the Assideans mentioned in the book of Maccabæus. The name is more generally applied to a modern sect which sprang up in Poland towards the middle of the last century. *Chasidim* and *Zadikim* were the names employed to designate the two great divisions of the Jewish people which arose after the Babylonish captivity; the former being in favour of certain innovations in the law of Moses, the latter being for a strict adherence to the law as it stood. From the former arose all those sects that received traditions and explanations in addition to the law of Moses, as the Pharisees, Sadducees, &c. Of the modern sect of Chasidim, the founder was one Israel of Podolia, a Jewish rabbi, who received the name Bial-Shem (lord of the name), because he gave himself out as having the true knowledge of the sacred name, through which he was endowed with miraculous powers, and could grant them forgiveness for their sins. He speedily obtained many followers, and at the time of his death, in 1760, he is said to have had 40,000 converts. This sect is very numerous in Poland, Hungary, the Danubian principalities, and Turkey.

CHASTITY, the quality of virginity or continence. Our laws justify a woman for killing a man in defence of her chastity; and a husband or a father taking the life of him who attempts to violate his wife or daughter.

CHASUBLE, *tshas'-u-bl* (Lat., *casula*, or *penula*), the outer dress formerly worn by the priest at the altar, and it seems to have succeeded the Roman toga. It was a circular piece of cloth, with a hole in the centre to admit the head, and it fell down so as to completely cover the body of the wearer. It is not now used in the English church, though it is proscribed in the rubric of Edward VI.'s First Book to be worn indifferently with the cope. It often appears on the older sculptures and brasses.

CHATHAM, *to*, **ADMINISTRATION**.—The ministry formed by William Pitt, shortly afterwards created Earl of Chatham, in August, 1766. It terminated on the 12th of December, 1767. A peculiarity of this ministry was that the Prime Minister did not hold the office of First Lord of the Treasury, but of Lord Privy Seal.

CHATELS, *tshat'-els* (Old Fr.), is a term used to express any kind of property which, having regard either to the subject matter or the quantity of interest therein, is not freehold. The appellation was originally derived from the technical Latin word *capitalla*, which, among the Normans, primarily signified only beasts of husbandry, or, as we still call them, *cattle*; but, in a secondary sense, was applicable to all movable

in general; and not only to these, but to whatever was not a *jief* or *feud*; to which, among the Normans, there were two requisites—a given duration as to time, and immobility with regard to place. And it is in this latter more extended and negative sense that our own law adopts the term. Any estate in lands and tenements which amounts not to freehold is a chattel; but inasmuch as it concerns, or, according to the technical expression, *savours* of the reality, it is denominated a chattel *real*, in order to distinguish it from things which have no concern with the reality—viz., more movables, and the rights connected with them; and such things as these are, on the other hand, often described as chattels *personal*.

CHEATING, *tcheet'-ing*, in English laws the offence of defrauding by means of deceitful practices which cannot be guarded against by common prudence. It is an offence at common law, and is indictable.

CHELSEA, ROYAL HOSPITAL, *tchel-se*, an asylum at Chelsea, a suburb of London, for disabled or superannuated soldiers. In 1682 Charles the Second, at the instigation of Sir Stephen Fox (not of Nell Gwynne, as is traditionally asserted), converted a theological college, established by James the First, into an asylum for invalided and destitute soldiers, and Sir Christopher Wren was the architect employed. The frontage to the Thames consists of a centre with two wings of red brick, with stone dressings. The buildings of the Hospital form three courts, two of which are spacious quadrangles, the other open to the river. In the area is a bronze statue of Charles the Second, by Grinling Gibbons. There are interesting paintings in the hall and chapel, and in the former about a hundred foreign flags, captured by British troops in various parts of the world, and cloven of Napoleon's eagles. There are about 540 in-pensioners, who receive board, lodging, and uniforms, and a small sum of money weekly. There are also a very much larger number of out-pensioners who receive sums in proportion to the rank they held in the Army. In-pensioners are paid from 7d. to 5s. 3d. weekly; out-pensioners from 1½d. to 3s. 7½d. per day. Vacancies in the hospital are filled up once a quarter. The heads of the principal departments of the War Office, the Secretary of State for War, and the Commissioners of the Treasury (except the First Lord and the Chancellor of the Exchequer) are *ex-officio* Commissioners for the management of the hospital; the immediate control being vested on a Governor (a General of high reputation), a Lieutenant-Governor, and a staff of officials.

CHERUB, *tcher'-ul* (Heb., plural *cherubim*, mighty ones), the name of a particular order of angelic beings frequently mentioned in Scripture. They were placed with flaming swords to guard the garden of Eden when Adam and Eve were driven out of it; and when Moses was commanded to make the ark of the covenant, he was to place a cherub on each end of it, so as to cover the mercy-seat with their wings. What the form was under which the cherub was here represented we have no certain account, and various conjectures have been thrown out on the subject. Many are of the opinion that, as in Ezekiel's vision, and the Revelation of St. John it was composed of parts of a man, lion, ox, and eagle. In art, cherubs are commonly represented by a

child's head with wings, or as a human figure with wings at the shoulders, and wings also in place of the lower extremities.

CHERUICI, *ke-roos-ki*, a German tribe, dwelling north of the Harz forest, chiefly memorable for having, under their great leader Hermann, united with other German tribes in defeating the Roman legions under Varrus, 9, A.D.

CHEST, MILITARY AND NAVAL, *tshest* (Sax., *cist* or *cyst*).—The term Military Chest is applied to the money and securities which are held by the chief of the commissariat department during a campaign, to provide pay and provisions for the soldiers. The Naval Chest, or Chest at Greenwich, as it is sometimes called, is a fund to provide for the necessities of sailors who are unable to pursue their calling in consequence of any injury. Gratuities and pensions for a certain number of years, or for life, are given out of this fund. It was originated in the reign of Queen Elizabeth, the sailors voluntarily giving up a small part of their monthly pay to form the fund. The money thus obtained was deposited in a chest kept for the purpose: whence the name.

CHIEF JUSTICES, *tsheef jus'-tis* (Fr., *chef*, chief; Low Lat., *judiciarius*, justice), were formerly the principal judges of the courts of Queen's Bench and Common Pleas; the chief judge of the court of Exchequer being called the Lord Chief Baron. Now there is only one Chief Justice, who presides over the Queen's Bench division of the High Court of Justice.

CHILDERMAS-DAY, OR HOLY INNOCENTS' DAY, *tshil'-der-nas* (Ang.-Sax.), an anniversary of the Church of England, held on the 28th of December, in commemoration of the children of Bethlehem, slain by order of Herod. The Church of Rome appoints masses for the day. In the old time, children were whipped on the day, in order to make them feel sympathetically the sufferings of the infants killed by Herod.

CHILIASTS, *kil'-li-asts* (Gr., *chilias*, a thousand), a term formerly applied to those who believed that Christ was to come again and reign a thousand years upon earth. (See *MILLENNIUM*.)

CHILTERN HUNDREDS, *tshil'-tern hun'-dreds*, is a portion of Buckinghamshire known as the Chiltern Hills. The stewardship of the Chiltern Hundreds is a nominal office under the crown, in the gift of the Chancellor of the Exchequer, and serves the purpose of enabling a member of the House of Commons to resign his seat (which he cannot do unless in some way disqualified), it being regarded as a place of honour and trust under the crown. The office is resigned immediately afterwards.

CHIVALRY, COURT OF, a court of honour, and also in some instances a criminal court, established by Edward the Third, and further regulated by Richard the Second. The Earl Marshal presided when only questions of honour or of degree and quality were to be decided; but when criminal charges were investigated the Lord High Constable was associated in the presidency.

CHIZEROTS AND BURINS, *shé'-ze-ro, boo-ran' (y)*, a peculiar race in the department of Ain, France, traditionally said to be descendants of the Sarracens. Although industrious and

generally prosperous, and handsome in face and figure, they are held in contempt by the peasantry around them.

CHOSE, *chose* (Fr.), signifies a thing; and a *chose in action* is a thing of which a man has not the possession or actual enjoyment, but has a right to demand the same by action.

CHOUANS, *shoo-ah'*, a party of royalist insurgents that appeared on the right bank of the Loire during the first French revolution. At first they were composed chiefly of smugglers and other lawless persons; but they were speedily joined by peasants, priests, noblemen, and others. They are said to have taken their name from one Jean Cottereau or Chouan (a corruption, it is said, of *chat-huant*, "screech-owl"), a leader of one of their bands, and who fell in an engagement on the 2nd of February, 1794. As early as 1792, the Marquis de la Rouaie attempted to bring them to open insurrection; but, in consequence of his arrest, the attempt fell to the ground. In the following year Jean Cottereau succeeded in this attempt, and, for a time, the *Chouannerie*, as it was called, threatened to imperil the security of France, and the guerilla warfare which followed gave employment to as many as 60,000 regular troops. At length, partly by force and partly by negotiation, the movement was put down in 1795; and though *Chouannerie* has, on more than one occasion since, attempted to make its appearance on the banks of the Loire (as in 1799 and in 1814-15), it has never again become formidable.

CHRISM, *krism* (Gr., *chrisma*, oil), in the Roman and Greek churches, the oil consecrated by the bishop on Holy Thursday. There are two kinds: one, a composition of oil and balsam, used in baptism, confirmation, and ordination; the other, only plain oil, used for catechumens and extreme unction.

CHRISOME, *kris' one*, a white garment anciently given to infants, at their baptism, as emblematical of the saints' new robe of righteousness. After having been worn for seven days, in token of the seven gifts of the Spirit, it was put off in the church baptistery, washed and left there. If the child died before the mother was churched, it was used as a shroud; otherwise, the mother, at the time of her churching, presented the chrisome to the priests to be used for surplices, or covering for the chalice, or for similar purposes. A newly baptised infant is spoken of by Jeremy Taylor as a "chrisome child."

CHRIST, *krists* (Gr., *Christos*), the pre-eminent title of our Saviour sometimes added to his proper name, as Jesus Christ, sometimes as a descriptive phrase, "Jesus, the Christ," or "the Christ of God." It signifies "The Anointed," and corresponds to the Hebrew word which, in our version of the Old Testament, is translated "Messiah," or "the Anointed," the former word being twice used in the book of Daniel. The Greek form, "Christ," belongs only to the New Testament. (See ATONEMENT, CHRISTOLOGY, MESSIAH, TRINITY, &c.)

CHRIST, PORTUGUESE ORDER OF, a revival of the order of the Temple (see TEMPLARS), instituted in Portugal, in 1317, and entitled "The Order of our Lord Jesus Christ." The knights of the order took part in the Portuguese crusades against infidels, and in the African and Indian expeditions, and received as reward

considerable possessions. Noble descent and three years' service against the infidels were among the qualifications for admission. Pope Calixtus III., invested the grand prior of the order with episcopal power. They became very wealthy, and as in the case of their predecessors, the Templars, excited jealousy. The king took possession of many of their estates, and the offices of administrator and grand master were vested in the crown. In 1366, the seat of the order was transferred to Thomar, where there is now a theological institution for the instruction of the priests of the order, which is still very wealthy, possessing large estates. It consists of six knights of the grand cross, 450 commanders, and an unlimited number of knights. Only Catholics of noble descent are admitted.

Papal Order of Christ, a branch of the Portuguese order, instituted by Pope John XXII., early in the 14th century. It has only one class.

CHRISTADELPHIANS, *krist-a-delf'-ians* ("brother of Christ"), a sect of recent origin, first formed in the United States, and having some branches in this country. They believe that all who do not love God perish at death; but that the Creator will recall to immortal life all who love Him, and they shall people this world under the rule of Christ, who will in turn to reign over His glorified people. The doctrine of a personal devil is rejected.

CHRISTENING, a popular term for baptism, chiefly in use, however, among members of the Church of England.

CHRISTIAN, *krist'-yan*, the name given, probably in contempt, to the believers in Christ, by the people of Antioch, A.D. 43. "And the disciples were called Christians first in Antioch" (Acts xi. 26), afterwards accepted by the disciples themselves as a glorious and honoured name. In the 4th century, indeed, Julian the apostate, as an insult to the Christians, ordered that they should no longer be called Christians, but Galileans. The name is used only three times in the New Testament—in the passage quoted above, when King Agrippa told Paul that he almost persuaded him to be a Christian, and in the first Epistle of Peter—"If any man suffer as a Christian, let him not be ashamed."

CHRISTIAN CHARITY, KNIGHTS OF THE ORDER, an order founded in France by Henry III., in the latter part of the 16th century, for the support of maimed officers and soldiers who had distinguished themselves in military service. Henry IV. placed it under the charge of the marshals and colonels of France. When the hospital of the Invalides was established by Louis XIV., the order of Christian charity was superseded.

CHRISTIAN CONNECTION, a denomination of Christians in the United States of America. When first established, all doctrine terms of communion were rejected, and personal piety was the only test of qualification for membership. The great majority of members (about 80,000 in number), now deny the divinity of Christ.

CHRISTIAN KNOWLEDGE, SOCIETY FOR THE PROMOTION OF, an incorporated society for the education and religious instruction of the poor, supported by the members of the Church of England, and the oldest society of the kind in the kingdom. It

was founded by the Rev. Dr. Thomas Bray in 1698, and was incorporated in 1701, its objects being—“(1) to promote and encourage the erecting of charity schools in all parts of England and Wales; (2) to disperse, both at home and abroad, Bibles and tracts of religion; and, in general, to advance the honour of God and the good of mankind by promoting Christian knowledge, both at home and in other parts of the world, by the best methods that should offer.” These objects the society ever has, and still continues to keep in view. Numerous charity-schools have been established by it in all parts of the country; large sums have been expended in behalf of missionary enterprises abroad; and Bible and tract distribution are largely carried on. The society annually expends about £100,000 in furtherance of these objects.

CHRISTIAN NAME. (See NAMES.)

CHRISTIANITY, *krist-ee-n'-e-tee*, is that religion which was instituted by Jesus Christ, and the doctrines of which are contained in the books of the Old and New Testaments. When the “fulness of the time” was come—when the three great historical nations had, each in its own peculiar way, co-operated in preparing the soil on which Christianity was to be planted—the Jews on the side of the religious element; the Greeks on the side of science and art; the Romans, as masters of the world, on the side of the political element—then it was that, through Him, and by the power of the Spirit that proceeded from Him—by the might of Christianity—all the threads of human development which had hitherto been kept apart were to be brought together and interwoven in one web. Any attempt to delineate the system of religious truth inculcated by Jesus Christ would open up questions of controversial theology; for it is upon the definition of Christianity that the denominations which claim to represent the religion of Jesus Christ so widely differ. All Christian sects, widely as they differ in many respects, agree in regarding the Christian religion as of divine origin, and in that respect radically and inherently different from all other religious systems. The existence of God, the alienation of the human race from Him, the reality of a future state of reward or punishment, and the reconciliation with God through the work of Christ, are fundamentals; but the controversies as to the relation of Christ with the Father, the nature of the atonement, the respective efficacy of faith and works, and the relation of the Church to its Divine head, and many other subjects, are almost innumerable. The leading doctrines of the various Churches are noticed under the proper headings. The discussion of the evidences, or proofs of the truth of the Christian system, have given rise to a vast literature. The “evidences” are generally divided into two classes, external and internal. The former deals chiefly with prophecies, types, and miracles; the latter with the adaptation of Christianity to the nature and necessities of man.

History of Christianity.—In the treatment of the history of Christianity, the old system of division into centuries has been rightly abandoned, and a division into epochs adopted instead, though considerable difference of opinion exists as to determining the different epochs. Neander divides the period from the introduction of Christianity to the Reformation into six epochs, comprising, (1) the first three centuries, or down to A.D. 312; (2) from the end of the Diocletian persecution to the time of Gregory the Great, bishop

of Rome (312-590); (3) from the time of Gregory the Great to the death of the emperor Charlemagne (590-814); (4) from the death of Charlemagne to Pope Gregory VII. (814-1073); (5) from Gregory VII. to Boniface VIII. (1073-1294); (6) from Boniface VIII. to the beginning of the Reformation. The history of each epoch is divided into four sections:—(1) the relation of the Christian Church to the world, its extension and limitation; (2) the Church constitution, Church discipline and schisms; (3) Christian life and Christian worship; (4) Christianity apprehended and developed as a system of doctrines. Dr. Geissler divides ecclesiastical history into four periods:—(1) from the introduction of Christianity to the time of Constantine (c. 312 till 324), when the acknowledgment of the Church in the Roman empire was secured—the first development of the Church under external oppression; (2) from the time of Constantine to the beginning of the controversies concerning image-worship (324-726)—the development of Christianity as a prevailing religion of the state; (3) from the beginning of the image controversies to the Reformation (726-1517)—the development of the Papacy prevailing over the state; and (4) since the time of the Reformation, the development of Protestantism. The chief sects of Christians have been thus classified:—“(1) The Latin, or Roman (Catholic Church, the accredited faith of which is embodied in the Catechism of the Council of Trent; (2) the Eastern, or Orthodox (Greek Church, the creed of which is defined in the symbol entitled ‘The Orthodox Confession of the Catholic and Apostolic Greek Church’ (1642); (3) the anti-Byzantine Eastern churches of Armenia, Syria, Egypt, and Chaldea; (4) the Protestant Lutheran churches holding the Confession of Augsburg (1530); (5) the Protestant churches holding the Gallic, Helvetic, and ~~the~~ ^{the} ~~the~~ Confessions; (6) the Protestant Episcopal churches holding the Thirty-nine Articles of the Anglican church; and (7) the Protestant churches adhering to the Westminster and Savoy Confessions.” The total number of professing Christians is estimated at about 400,000,000 (nearly one-third of the population of the world), of which, probably, nearly one-half are Roman Catholics, about 70,000,000 belonging to the various sects of Protestants, and probably a like number to the Greek church. The principal points in the history and doctrines of Christianity will be found noticed under their proper heads in different parts of this work.

CHRISTIANS, a name assumed by the followers of Alexander Campbell. (See CAMPBELLITES.)

CHRISTIANS OF ST. THOMAS, is a name applied to a people residing on the Malabar coast, in the south of India, and who profess the Christian religion. The Portuguese navigators, by whom they were first visited, represent them as professing to have received Christianity from the apostle Thomas, who is by some believed to have carried the Gospel into India. Others regard them as the descendants of a colony of Nestorians; but the most probable conjecture is that they are an offshoot of the ancient Christian churches in Persia. They have the episcopal form of government, and are said to acknowledge the patriarch of Antioch; their churches contain no symbols or pictures, except the cross, and their priests are allowed to marry.

CHRISTINOS, *kris-ti'-nos*, the name of a political party in Spain during the regency of queen Maria-Christina (1833-43), including the adherents of the queen. They were opposed by the Carlists.

CHRISTMAS, *krist-mas* (*Christ*, and Ang.-Sax., *messe*, signifying the mass and a feast), a Christian festival observed in memory of the nativity of Christ, on the 25th of December. The exact day of the nativity of Christ has long formed matter of dispute; but it is generally agreed that it could not have been on the 25th of December, for one, among several reasons,

that the shepherds could not have been watching their flocks in the fields by night in the middle of the rainy season. Sir Isaac Newton has ingeniously attempted to account for the choice of the 25th of December—the winter solstice, by showing, that not only the feast of the Nativity, but most of the others, were originally fixed at cardinal points of the year, and that, the first Christian calendars having been so arranged by mathematicians at pleasure, were afterwards adopted by the Christians as they found them in the calendar, the main object being to have a fixed time of commemoration appointed. Be this as it may, the 25th of December has been the day fixed upon for the commemoration of the nativity from the earliest ages of the Church. It has been supposed that as, in Rome, a series of heathen festivals were held, the celebration of the nativity of Christ was transferred to the 25th of December, for the purpose of drawing away the Christian people of Rome from all participation in the heathen festivals, and of gradually drawing the pagans themselves from their heathen customs to the Christian celebration. The festivities that used formerly to characterize this period have now, in a great measure, passed away. In this country, in old times, on the night of Christmas-eve, it was usual to light up candles of uncommon size, called Christmas candles, and to lay a log of wood upon the fire, called a Yule log or Christmas block, to illuminate the fire, and, as it were, to turn night into day. At court and in distinguished families, an officer, under various titles, was appointed to preside over the revels. Stowe says, "that in the feast of Christmas there was in the king's house, wherever he lodged, a Lord of Misrule or master of merry sports; and the like had ye in the house of every nobleman of honour or good worship, were he spiritual or temporal." The mayor of London and each of the sheriffs had their several Lords of Misrule. The Puritans in England were very much opposed to these ceremonies; and in Scotland, the Abbot of Unreason, as he was there called, was suppressed by Act of Parliament in 1555. The Scandinavian deities, Odin and the others, were specially worshipped at this time of the year, and "Yule foats," were held, lasting for twelve days, and the word "Yule," has passed into our language, and of late years been very popular with "Christmas" poets and storytellers of the more gushing kind. The holly and mistletoe so greatly in favour at Christmas are supposed to be of Druidical origin. The custom of decking churches and houses at Christmas with laurel, box, holly, or ivy, appears to have been copied by the Christians from their pagan ancestors. In the Roman Catholic Church three masses are performed at Christmas, one at midnight, one at daybreak, and one in the morning. The Church of England has special services; and Christmas Day is observed by the Lutheran Churches on the Continent. The Scotch Presbyterian Church and nearly all sects of Protestant Dissenters, have no regard for the day as a religious festival. All, however, consider it as a holiday, and a day especially appropriate for family gatherings.

CHRISTOLOGY, *kris-tol'-o-ge* (Gr., *Christos*, Christ, and *logos*, discourse), the doctrine of the person of Christ; a term applied to such treatises as those of Owen, Neander, Eusebius, and Dörner, which profess to expound what is taught in Scripture respecting the person of Christ.

CHRONICLES, the name given to two books of the Old Testament, written after the return from the Babylonian Captivity, and standing thirteenth and fourteenth in our English version. In the Hebrew they are called *Books of Days*, i.e., diaries; and in the Septuagint *things omitted*, or supplements, from their being in some measure supplementary to the books of Kings which precede them. The first nine chapters of the first book contain a great variety of genealogical tables, beginning with Adam, which must have been very valuable to the Jews after their return from the captivity. The more ancient are so obscure as to be hardly intelligible unless collated with the Pentateuch. The more modern are the most perspicuous; but even they are not complete. Nothing is to be found of the tribes of Dan or Zebulun; that of Benjamin is twice introduced; Judah is copious; and the register of David's descendants runs down to the end of the 4th century before Christ (by some believed to be a later addition). The genealogies of the priests and Levites are given most in detail, and terminate with the destruction of Jerusalem.

CHURCH, *tskurtsch* (Ger., *kirche*; Dan., *kirke*; Scotch, *kirck*), is generally supposed to be derived from the Greek *kurakon*, belonging to the Lord; from *kurios*, Lord. The term has two significations, applying to the whole collective body of those who profess to be followers of Jesus Christ, and hence denominated by ancient writers the Catholic or Universal Church; and also to a building devoted to the religious worship of Chroulomen. (See below.) The assembly of the faithful upon earth is sometimes called the Church *militant*, as distinguished from the Church *triumphant*, the faithful already in glory. In a more limited sense the term is applied to a body of Christians differing in its constitution, doctrines, and usages from the rest; as the Roman Church, Greek Church, Reformed Church. In another sense it is applied to the whole Christian community of a country, or to the established religion of a country; as the Gallic Church, Church of England, Church of Scotland. In a still more limited sense it is applied to a particular congregation of Christians, who associate together and participate in the institutions of Christ with their proper pastors and ministers.

Church Discipline, the means employed by the Christian Church to enforce religious life and conversation among its members. In old times these means were held to include punishment of heretics, even to death; and the Church of Rome has now an elaborate system of penance. Excommunication was one of the most powerful instruments wielded by the Church to intimidate offenders. The Church of England and all the Non-conforming Churches have some means of enforcing a moderate discipline among their members.

Church Government.—There are many differences among Christians as to the Scriptural authority for the constitution of a church and its mode of government. Episcopalian Churches, such as those of Rome and England, confide the authority to bishops who have been admitted to the episcopal office by the imposition of hands; Presbyterians, to the ministers and elders of the various congregations meeting in Synod; Wesleyan Methodists to a congress of ministers and Independents, and some other bodies of Non-conformists claim that each church or congregation has a full right to manage all its own affairs.

Church History. (See ECCLESIASTICAL HISTORY.)

CEURCH, the name given to a building, especially set apart for the worship of God. The

models after which churches are principally built are those of the old Roman basilica (see *BASILICA*), and the cruciform plan adopted in Byzantine architecture. (See *BYZANTINE ARCHITECTURE*.) Churches are divided into five classes:—1, Metropolitan churches, or the principal churches in the sees of archbishops; 2, Cathedral churches (see *CATHEDRAL*); 3, Collegiate churches, or churches that have a chapter of canons, but no bishop; 4, Conventual churches, or churches attached to a monastery under the superintendence of an abbot; and 5, Parish churches. The first four classes are more ornate in character, and are considerably larger than the fifth, and have numerous chapels and aisles attached, which are not to be found in the parish church. The cathedral church, so called because it contains the throne of a bishop, which has been described in a preceding article, may be taken as the general type of these four classes. The parish church, particularly those built prior to the date of the Reformation, is generally built in the form of the Latin cross, with the nave much longer than the arms, forming the transepts and choir, or chancel. Those of the 18th century are, for the most part, built in imitation of the old Greek temple, a style utterly unsuited to a Christian church; but in the 19th century, a tendency is shown to imitate the purer Byzantine form of church architecture, and to build the churches more in accordance with the form of the Greek cross, in which the nave, transepts, and chancel are of equal length. The principal part of our old parish churches belong to the Anglo-Norman, Early Perpendicular, and Decorated forms of English architecture. (See the various headings.)

CHURCH OF ENGLAND.—Under the heading *ANGLO-CATHOLIC, OR ANGLICAN CHURCH*, a sketch is given of some of the more prominent incidents in the history of the English Church; and some interesting items may be added under this heading. The records of the persecutions under Diocletian in the 3rd century, establish the fact that at that time there were many converts to Christianity in this country. Three British bishops were present at the council of Arles, in 314, more than 180 years before Pope Gregory sent Augustine to this country. Canon Peery, tells us, in the last edition of the *Encyclopædia Britannica*, "In 658 Archbishop Theodose, by sub-dividing dioceses and establishing parish churches, gave form to the Christianity of the country. The township becomes the sphere of duty of a single priest, the Kingdon the diocese of a bishop, the whole land the province of a metropolitan, the rival archbishops head rival nationalities; the greater dioceses are divided on the lines of the earlier under-kingdoms; the shires became the archdeaconries, and the hundreds the deaneries of a later age. The Church of England had from the first a territorial organization; the land was divided and parcelled out to it, or rather by it. As the nation grew towards unity, the territorial chains of the church became only the more firmly fixed. Its rights to endowments, which had in the first places been voluntarily given, was ratified and confirmed. The Church was not endowed any more than established by any definite act of the state; but growing up together with the state, it obtained sources of revenue from the piety of the faithful—its position and resources being not created, but defended and secured by laws." At the time

of the Conquest, there were about 4,500 parish churches in England. By various laws and directions of the English kings, the clergy had acquired a right to the title of all movable goods, and the gifts of the faithful had enriched the church with lands to the amount of about three-tenths of the whole property of the country. In medieval Acts of Parliament, the Church is always described as the Church of England, and as near identified with the Church of Rome; and it was in order to gain the vassalage of the English Church that the Pope granted to William of Normandy permission to attack England. The modern history of the church may be taken to begin with the revival, in 1562, of the thirty-nine Articles (see *ARTICLES*), which with the Book of Common Prayer (see *COMMON PRAYER*) contain the doctrinal basis of the Church. The Church claims to be Protestant, as sympathizing with the protest made in Germany against the errors of Rome; Catholic, as part of the universal Church of Christ. It claims, also, to be legally and historically continuous with the church of the most ancient times, "a true and apostolic church, teaching and maintaining the doctrines of the apostles." The success of the Parliamentary party, the execution of Charles I., and the substitution of a Commonwealth for a monarchy, abolished the Church as an institution of the State. The bishops were declared delinquents, and their property was confiscated; and the clergy were ejected from their benefices. In 1660, on the restoration of the monarchy, the Church was re-established, and since then the connection with the State has been unbroken. The Sovereign is the head of the Church, but only in temporal matters, and cannot of his own will make any alteration in the services or ordain a clergyman. The archbishops are appointed directly by the Crown, but the other bishops are in theory elected by the deans and other members of the chapters of the dioceses, who receive from the sovereign a *compte d'êtré*, or permission to choose a bishop, accompanied, however, by the nomination of some person, who, as a rule, is elected without question. There have been instances, however, in which the nominee has been objected to by the chapter, but in the end the Royal will has prevailed. The Church possesses two consulting bodies for considering spiritual and temporal affairs, convocations of the archiepiscopal provinces of Canterbury and York; but the latter rarely meets. Convocation was originally a general assembly of the clergy of the nation, convened by the sovereign's writ, directed to the archbishop of each province. Since the early part of the 14th century, the convocation of the province of Canterbury has been divided into two sections, the upper and the lower houses, the former consisting of the bishops, the latter of deans, prebendaries, archdeacons, and a certain number of the beneficed clergy, elected by the main body. Convocation was re-organized in the reign of Henry VIII., but the power limited. In 1716, it was deprived of various privileges and ceased to meet, until 1854, since which date it assembles annually at the commencement of each Parliamentary session; but the deliberations chiefly result in expressions of opinion and have little practical result, except in 1872, when it considered certain alterations in the Liturgy, to which effect was given by Act of Parliament. In 1801, the Church of England and the Church of Ireland were united; but separated on the disestablishment of the latter in 1869. Although the use of the Liturgy and

subscription to the Articles is required of all clergymen of the Church of England, yet there is great diversity of opinion on matters of doctrine and ceremonies amongst them; indeed, there are now four great parties in the Church—Ritualistic, High Church, Broad Church, and Evangelical (see various headings, also ESSAYS and REVIEWS and TRACTARIANISM), and Calvinistic and Arminian teachings are alike found within its pale. There are three orders of clergy—bishops, priests, and deacons—and three ordinations. A candidate for holy orders must be twenty-three years of age, and the bishop must be satisfied of his fitness, by education and moral conduct for the office, before he is ordained as deacon; and having held the office for a year, he may present himself for ordination as a priest. While a deacon, he cannot pronounce the "absolution" in the services of the church, or consecrate the bread or wine for the Holy Communion. A priest must have been previously a deacon, and only a priest can be appointed to a bishopric. Lay members of the Church of England are strictly those who have been baptized in the Church, and confirmed, and are communicants; but as the Church is a national institution, it is supposed to be the church of all, and persons are in the habit of styling themselves churchmen, because they belong to no other church or sect, the result being that any attempt to estimate the number of members of the Church of England is exceedingly difficult. There are three archbishops, 28 bishops, four suffragan and three assistant bishops, and about 70 colonial and missionary bishops. The other dignitaries are chancellors, deans, archdeacons, prebendaries, canons, minor canons, and priest vicars. These, and the incumbents of rectories, vicarages, and chapelries, make the number of preferments of the church, according to official returns, 12,327. The number of parishes is 11,077, and of churches and chapels about 14,200. In many of the large parishes in populous towns, district parishes have been formed, the incumbents of which, formerly commonly known as perpetual curates, are now styled vicars. The old benefices are either rectories, where the incumbent receives the tithes (see TITHES) or the greater portion of them; or vicarages, where only the "small tithes," and in some cases none at all, are received by the incumbent. At the dissolution of the monasteries, many of the "great tithes" were given to laymen, or to endowed colleges. In 1835 an Ecclesiastical Commission was appointed to consider the state of the revenues of the church and other matters (see ECCLESIASTICAL COMMISSION), one result of their labours being a re-arrangement and to some extent an equalization of the emoluments attached to dignities and benefices. The holder of an ecclesiastical benefice is, by the laws of England, regarded as a corporation, and he cannot be deprived except by the sentence of an ecclesiastical court. He is entitled to the full enjoyment of the benefice, globe; monies (if any), timber, &c., during his life, but he cannot sell it, and is even punishable for waste. He is the "parson" (*persona ecclesie*) of the parish. Occasionally these rights are "appropriated," that is, the benefice is perpetually annexed to some spiritual corporation which, either sole or aggregate, is the patron of the living. In that case a vicar is appointed, to whom the spiritual duty belongs, in the same manner as in parsonages not appropriated to the rector. The total annual value of the endowments is about £4,000,000. When, as in the case of new

districts, there is no endowment, or an insufficient endowment, part of the incumbent's stipend is paid from pew-rents or the offertory. Curates are unbenedicted clergymen, who assist rectors and vicars in the performance of their duties, and have no fixed position. Their incomes are generally small, only two or three, in the whole church, receiving as much as £300 a-year. (In the Liturgy of the Churches, all priests having "the care of souls," including, of course, the beneficed clergy, are spoken of as "curates.") Holders of advowsons (see ADVOWSONS) have the right of presentation to benefices, subject to the approval of the nominees by the bishops of the dioceses in which the livings are situated. Besides the right of presentation pertaining to the Queen, the Lord Chancellor, the Prince of Wales, the higher clergy, the Chapters and the Universities, there are nearly 4,000 persons, who have the right of patronage. Advowsons and next presentations may be sold as property; but a presentation may not be sold when a living is vacant.

Church of Ireland. (see IRELAND, CHURCH OF.)

Church of Rome. (see ROMAN CATHOLICISM.)

Church of Scotland. (see SCOTLAND, CHURCH OF.)

CHURCH OF GOD, the name assumed by a body of Baptists formed in America, in 1837, under the leadership of John Winebrenner, and commonly known as Winebrenner Baptists. They consider foot-washing as an ordinance to be observed, and that the sale or manufacture of ardent spirits is immoral. There are about 200 church members, chiefly in Pennsylvania and Western States.

CHURCH RATES, or *taxes*, formerly laid on the parishes, assembled land, by a majority of maintaining the in vestry for the expenses incident fabric of the church service. For many to the celebration church rates was the years the enforcement between Churchmen source of great ill-feelings were made to and Dissenters, and compulsory Church-abolish the rates. In the compulsory rate Abolition Act put an end to, and collection of church rates, by a body provision made for donations, as may be of trustees, of donations and voluntarily agreed purposes in the quests made for the parish.

CHURCHING, is a public and solemn act, after childbirth, Church to be made, vouchsafed to her, of the blessing. The office is of A special service in the ritual both great antiquity, churches.

CHURCHWARDEN, formerly called church-reeves, or reeve, and the legal guardians or keepers of the parish. They representatives of the parish annually by are generally twelve, according to the the parson. Their duties are to look customs, churchyard, church revenues, after the behaviour of the parishioners &c., with faults as come under the with ecclesiastical court; to take just each without a license, &c. care how to make an annual pre- sent to the archdeacon, as repre-



BADGE KING



CROWN



CROWN



CROWN



senting the bishop. They constitute a kind of corporation, and are enabled to sue and to be sued at law.

CHURCHYARD, is the ground adjoining to the church, in which the dead are buried. (See BURIAL.)

CINCINNATI, THE, *sin-sin-nat'-e*, was a society or order of certain officers of the United States army, established in 1783, with Washington at their head. They took their name from Cincinnatus, the Roman general who left the plough to defend the State. As the order was made hereditary, it was regarded by many as the germ of an aristocracy, contrary to the spirit of republicanism, and became so unpopular that it at length ceased to exist.

CINQUE PORTS (*Fr.* five ports). It has been stated that as early as the time of Edward the Confessor, the five ports on the English coast opposite to France—Sandwich, Dover, Hythe, Romney, and Hastings—were enfranchised and received other special privileges. They were looked on as the gates of England, and the defences against foreign invasions. In 1078, William the Conqueror formed the district of the five ports into a kind of county palatine, under the jurisdiction of a warden, whose seat of administration was in Dover Castle. Richard I. added Rye and Winchelsea to the ports, thus increasing the number to seven, although the old title was retained, and some smaller ports were made subordinate to them. They were required to furnish a fleet for the defence of the kingdom. Previous to the revolution of 1688, the lord wardens nominated the parliamentary representatives of the ports; but in the following year an Act of Parliament declared the right and freedom of election. By the Reform Bill of 1832, the number of representatives was reduced from 16 to 8; and the Municipal Reform Act changed the ancient mode of governing the ports. The lord-wardens formerly exercised a jurisdiction in respect of civil suits, but that was abolished in 1855. The office of lord-warden is generally conferred on some distinguished man, and in recent times has been held by the Duke of Wellington and Lord Palmerston.

CIRCUITS, *sir'-kits* (*Fr.* circuit; *Lat.* circuitus), are divisions of the kingdom, for the purpose of holding the assizes. (See ASSIZES.) In 1876, the circuits were re-arranged by an order in council and are now South-Eastern, or Home; Midland, Northern, North-Eastern, Oxford, Western, North Wales and Chester, and South Wales.

Circuit Courts are courts of the United States, next inferior to the supreme judicial court. The United States are divided into circuits, and in each circuit one of the courts is held. It has jurisdiction, direct or appellate, both in law and equity; and in some circumstances criminal cases come before it.

CIRCUMCISION, *sir-kum-siz'-zhun* (*Lat.* a cutting round), is the cutting off the prepuce or foreskin—a rite common among eastern nations, both ancient and modern. Abraham was commanded by God to circumcise himself and all the males of his household, and to transmit the custom to his posterity. It took place on the eighth day after birth, and is still very scrupulously observed by the Jews. There is indubitable evidence to show that the rite was practised by the Egyptians long before the time of Abraham; and Herodotus and others mention

its having been practised among various ancient nations. It has been suggested that it originated in a sacrifice to the mysterious generative force of nature; but it is commonly thought that it was a sanitary precaution of value in hot climates. In modern times it has been found practised through a great part of Africa and Asia, and even in Mexico, the West Indies, and various parts of South America, Africa, Australia, and the South Sea Islands. Among the Mahomedans, as well as by the Jews, it is regarded as a religious rite. The Arabians defer the rite till the 13th year. The Abyssinians are the only people professing Christianity who practise it. Christians generally believing that, as a sign of covenant with God, it was superseded by the Christian dispensation. St. Paul says, in the Epistle to the Galatians (confirmed in other places), "In Christ Jesus neither circumcision availeth anything, nor uncircumcision, but faith which worketh by love."

Circumcision, Feast of, is a festival observed by the Church in commemoration of the circumcision of Jesus Christ, held on the eighth day after Christmas, or the first of January.

CIRCUMSTANTIAL EVIDENCE. (See EVIDENCE.)

CISTERCIANS, *sist-er'-si-ans*, a religious order originally established by St. Robert, abbot of Molesme (1098), and was so called from having its first establishment at Cîteaux (Cistercium), near Dijon, in France. Through the exertions of St. Bernard of Clairvaux (a monk of the order) and others, it increased in power so rapidly that within a hundred years of its foundation it embraced 800 rich abbays in different parts of Europe. It became so powerful, that it governed almost all Europe, both in temporal and spiritual concerns. The Cistercians dedicated themselves to a contemplative life, and their rule was severe. Cardinal De Vitry says they neither wore skins nor shirts, nor ate flesh, except in sickness, and abstained from fish, eggs, milk, and cheese. They lay only on straw beds, in their tunics and cowls; rose at midnight and sang praises to God till break of day; spent the day in labour, reading, and prayer, and in all their exercises observed a strict and continual silence. They avoided all splendour in their churches. Towards the end of the 12th century, however, riches and indolence began to operate unfavourably on their discipline, and led the way to great corruptions. Many of the convents had ceased to exist before the Reformation, and many more speedily after that event. In the reign of Henry VIII. there were 75 abbays and 26 nunneries of the order in England, and in Scotland 11 abbays and 7 nunneries. The abbays included the splendid edifices, now grand even in their ruins, of Tintern, Furness, Fountains, Rievaulx, Melrose, and Culross. There are now convents of the order in Spain, Poland, Austria, and Saxony. The habit of the order is a white robe or cassock, with a black scapular and a woollen girdle.

CITATION, *si-tai'-shun* (*Lat.* citatio), a summons to appear, applied particularly to process in the spiritual courts, where they proceed, according to the course of the civil and canon laws, by citation.

CITIES OF REFUGE, *sit'-ees*, were six cities (three on each side of Jordan) which God commanded Moses to set up for a refuge for the children of Israel, and for the stranger and for

the sojourner among them, that every one that killeth any person unawares might flee thither, and find refuge from the avenger of blood. The manslayer was to remain there until the death of the high priest, after which he could return to his own land. They were Hebron, Shechem, and Kadesh-Naphtali on the west side of Jordan, and Bezer, Ramoth-Gilead, and Golan on the east. It is said that at every cross-road signs were set up, pointing the way to the cities of refuge.

Cities of the Plain.—Various cities around the Dead Sea, of which Sodom and Gomorrah were the principal. Destroyed on account of their wickedness.

CITIZEN, *sit'-i-zen* (Fr., *citoyen*, Lat., *civis*), is, by Aristotle, defined to be one who participates in the judicial and legislative power in a state; and in this sense it could only be applied in those states in which the people had some share in the sovereign power. In ancient Greece and Rome, citizens enjoyed numerous important privileges and immunities, which they watched over with the most jealous care. No magistrate could order a Roman citizen to be put to death, nor to be punished by stripes. St. Paul's plea that he was "a citizen of no mean city" is familiar. Citizenship was only obtained by birth, or conferred by a public act. No term of residence, or the circumstance of being born in the city, conferred that right. Neither could any one claim citizenship by birth unless he was born of such a marriage as the state considered legal—all marriages between citizens and freed slaves, or their descendants, were illegal. To be a citizen, it was necessary to be an inhabitant of Rome, to be enrolled in one of the tribes, and to be capable of dignities. There was also a lower class of citizenship, which conferred no right of voting or of holding public office. The practice of admitting aliens (*peregrini*) to the rights of citizenship became more and more common as their territories extended; and at length the emperor Caracalla granted the freedom of Roman citizens to all the inhabitants of the Roman world; but by this time their distinctive rights had been lost. The English law gives citizenship to every person born within the British dominions; as well as to all persons who are born anywhere of a British citizen, or of one whose father, or father's father, was a citizen of Great Britain. Commonly the term citizen is employed to denote the inhabitant of a town. In France, a citizen is one who has been born in the country, or is naturalized in it. In the Revolutionary period, when titles had been abolished, the French addressed each other as citizens.

CITY, *sit'-e* (Fr., *cité*; Lat., *civitas*), a large and important town. It is commonly said that a city is a borough or a town-corporate, which is or has been the seat of a bishop; but this is not strictly correct, for there are many examples of towns in England which were once the seats of bishops, which are never called cities. The term seems rather to have been anciently applied as complimentary to certain towns of principal note and importance. St. Alban's and Truro, however, which have recently been made the seats of bishops, are now officially styled cities. In the United States, the name is applied to all towns which are incorporated and governed by a mayor and aldermen.

CROWN CROWN. (See CROWN.)

CIVIL, *siv'-il* (Lat., *civilis*, from *civis*, a citi-

zen), that which relates to the community, or to the policy and government of the citizens and subjects of a state.

CIVIL DEATH, is where a man, by an act of parliament or judgment of law, is attainted of treason or felony, by which he loses his civil rights and capacities, and becomes, as it were, dead in law. Formerly it took place, also, where a man abjured the realm, or went into a monastery, and became a monk, in which cases he was accounted dead in law, and his estate fell to the next heir.

CIVIL LAW.—By this term, absolutely taken, is generally understood the civil or municipal law of the Roman empire, as comprised in the Institutes, the Code, and the Digest of the emperor Justinian; and the constitutions made by himself and some of his successors. Like the canon law, it has no force where it is repugnant to our common law, and the courts of the latter will prohibit any excess of jurisdiction, if attempted by any tribunal dealing with the civil law. (See CANON LAW.)

CIVIL LIST, the income awarded to the English sovereigns. Formerly the term was applied to the list of all the expenses of the civil government of the country, and before the time of the Restoration the whole expenses of the government, civil and military, were included in one list; but a distinction was then made between the military and the civil expenses of the government. During the reign of William III. the amount of the civil list averaged about £680,000 annually. Under this head were included the expenses of the royal household, of the privy purse, maintenance of the royal palaces, salaries of the lord chancellor, judges, officers of state and ambassadors at foreign courts, incomes to the members of the royal family; secret money, pensions, &c. In succeeding reigns the amount of the civil list was much increased, until by 1 Will. IV. c. 25, it was confined to expenses proper for the maintenance of the royal household, and the sum of £510,000 granted to his majesty exclusively for the privy purse, the salaries and expenses of the household, secret-service money, and pensions. The civil list is fixed in the first session of Parliament after the accession of the Sovereign, and is understood to be granted for the whole period of his reign. Her Majesty's civil list was settled, as in preceding reigns, on her accession to the throne, by 1 and 2 Vict. c. 2. In terms of that act she surrendered the hereditary revenues of the crown for life to be a part of the Consolidated Fund (which *see*), in consideration of an annual sum of £385,000, for the support of her majesty's household and the honour and dignity of the crown. The application of this sum is intrusted to the lords of the treasury, and it is apportioned among the several branches as follows:—Privy purse, £20,000; salaries and wages, £231,260; retiring allowance and pensions to servants, £44,240; expenses of household, £172,500; royal bounty, alms, and special services, £13,200; leaving an unappropriated surplus of £8,040; but at the end of each year the lords of the treasury are authorized to direct that the savings in any one of these classes may be applied in aid of the charges under any of the others. In addition to the above sum, £1,200 is granted to her Majesty for each and every succeeding year of her reign cumulatively, for the payment of pensions to "persons who have just claims on the

royal beneficence, or who, by their personal services to the crown, by the performance of duties to the public, or by their useful discoveries in science and attainments in literature and the arts, have merited the gracious consideration of their sovereign and the gratitude of their country." It is further provided, that if in any one year the civil list charges should exceed the total sum of £400,000, then an account of the particulars of the excess shall be laid before parliament within thirty days.

CIVIL SERVICE, that department of the government service which is neither naval nor military. In it are included the officers of the House of Lords, the House of Commons, the Post-office, Customs, Inland Revenue, Treasury, Home, Foreign, and Colonial offices, War-office, Admiralty, Board of Trade, Courts of Law, Diplomatic Corps, &c. Formerly, appointments to the civil service were obtained chiefly by favour, and frequent complaints were made as to the inefficiency of the servants. In 1855 a commission was appointed, which reported most unfavourably on the existing system of appointments; and hence, by an order of council, dated 21st May, 1855, it was ordained that commissioners be appointed to examine young men proposed for any of the junior situations in the civil establishments, and grant certificates to such as they shall find duly qualified, having previously ascertained that they are within the prescribed age, free from physical defect or disease, and of good moral character. In 1870 the system of open competitive examinations was made general, and "the gates of forty-five public departments set ajar for all comers of ability." (See EXAMINATION.) The ages for admission are generally fixed at between 18 and 25. The commissioners can neither nominate nor appoint, but only examine and notify the result of the examination. In 1876 another commission, known as the Playfair Commission (because presided over by the Right Honourable Lyon Playfair), made considerable alterations in the service. Staff appointments, and those of other superior officers immediately below the political heads of departments, and subordinate to them alone, are not considered to be in the necessary course of departmental promotion, although upper division clerks are eligible for them. If the promotion to them should not go into the office, they may be filled up by the transfer of officials from other branches of the service, or by the introduction of outsiders who possess the necessary qualifications. On retiring from the civil service, the servant receives a pension for the rest of his life, proportioned to the period of his service and the amount of his salary. Estimates of the expenses of the various departments of the civil service are annually presented for Parliamentary sanction, and, if approved, the House of Commons votes the money required.

CIVIL WAR, a war between the inhabitants of the same state, or the citizens of the same city—one of the greatest misfortunes that can befall a nation. The Wars of the Roses, the war between the Parliament and Charles I., in this country, and the struggle between the Northern and Southern States of America, in 1861-5, are the most notable civil wars since ancient times.

CIVILIAN, *siu-ll'-yan* (Lat., *civis*, a citizen), a popular term signifying a person who is neither clerical, military, nor naval by profession. In

Law, a civilian is a person who has studied the law and principles by which civil rights may be vindicated honourably, either in general society or in the special state to which he belongs. The civil law of ancient Rome was much studied in all the states of Europe in former times, and greatly influenced the formation of many municipal systems. Those who devoted much study to the nature of these laws were called *civilians*; and on account of the more severe character of the studies required, the term gradually was applied to the professor or doctor, as distinguished from the practitioner of laws. At present, in this country, the term is still applied to a student or teacher of Roman civil law.

CIVILIZATION, *siu-ll'-i-zai'-shun* (Lat., *civis*, a citizen), is one of those terms in common use which it is difficult accurately to define in words. It is derived from the Latin word *civis*, a citizen, probably from those who live in cities being more civilized than those who inhabit country parts, or from the living in cities being one of the great characteristics of civilized life. According to Guizot, the fundamental idea of civilization is progress or development—the perfecting of civil life or of society, properly so called; but comprising, also, the advancement of the individual internal life, and the development of man himself, of his faculties, his sentiments, his ideas. Hence civilization subsists on two conditions, and manifests itself by two symptoms—the development of social activity and that of individual activity—the progress of society and the progress of humanity. Civilization denotes a state of advancement from the savage state to that higher and more perfect condition which both reason and revelation lead us to believe to be the ultimate destiny of the human race. The history of civilization is the history of this progress, either in nations or in the race. The causes which produce civilization are evidently of a twofold character—internally in the race and externally in nature. The external or physical agents by which the human race are most powerfully influenced are, climate, food, soil, and the general aspect of nature. But that these external agents are not all, or perhaps, even the main agents at work, is evident from the fact that we find nations living under the like external circumstances, and yet in very different states of civilization. The internal causes of civilization are well described by another writer: "The permanent changes in the condition and arrangement of man's life, effected by his own intelligence and exertion, make up human civilization." To this may be added the continued striving to realize a moral ideal, so that many virtues may be added to manly intellect.

CLAIM, *klaim*, a term in English Law—which may be verbal or by action, and refer either to goods or lands—whereby one person prefers his right or the right of another person to obtain something which a third person holds.

CLAIRE, ST., NUNS OF THE ORDER OF, a religious sisterhood founded by St. Claire in 1212 by the help of St. Francis of Assisi. The rules at first observed were those of St. Benedict, but their austerity was modified by St. Francis, and afterwards by Urban IV., in 1264. Those who follow the rules of the latter are called Urbanists and the austere portion, Damianists. The nuns devote themselves chiefly to the training of the young. There are numerous convents

now existent, particularly in France and Belgium, and there are also some in America. Frogs wearing habits of the same colour as the Franciscan friars they were known also, as Minorasses, and their house when they first settled in England about 1295 as the *Minories*, which name the street erected on its site bears to this day.

CLAN MACDUFF, LAW OF, an old law by which any Highlander who could claim kindred with Macduff, Earl of Fife, within the ninth degree was privileged to immunity from homicide, while residing within the lands of the clan, on payment of nine cows and a calf.

CLANDESTINE, *clan-des-tin* (Lat., *clandestinus*), is applied to anything done secretly, without the knowledge of the parties interested, or without the proper solemnities. Hence a marriage is said to be clandestine when performed without the publication of banns and the knowledge of parents or guardians. (See MARRIAGE.)

Clandestine Mortgage, a second mortgage of houses or lands, which are already mortgaged, the knowledge thereof being concealed from the second mortgagee. In such circumstances, it is provided by 4 and 5 Will and Mary, ch. 16, that the person so acting shall have no equity of redemption against the second mortgagee.

CLARENDON, CONSTITUTIONS OF, *klar-en-don*, certain ordinances made at a general council of the nobility and prelates, assembled by Henry II. at Clarendon, in Wiltshire, A.D. 1164. These enactments, sixteen in number, were designed to check the power of the pope and his clergy, and to limit the total exemption which they claimed from secular jurisdiction. These constitutions led to Thomas à Becket's quarrel with the king, and they were annulled by the pope and abandoned by the king in 1194.

CLAUDE. (See DEED.)

CLEMENTINES, *klem-en-tines*, nineteen homilies of a Judaizing tendency, falsely attributed to St. Clement. The generally received opinion now is, that they were composed by an Ebionite, towards the end of the 2nd century.

CLEMENTINES, OR THE CLEMENTINE CONSTITUTIONS, *klem-en-teens*, is the name given to a collection of decretals of Pope Clement V., published by his successor, John XXII., in 1317, and forming part of the canon law. Clementines was also the name given to the supporters of Robert, son of the Count of Geneva, who claimed to be Pope, in 1378, and assumed the title of Clement VII.

CLERGY, *klar-je* (Lat., *clericus*; Gr., *klerikos*), a term applied collectively to the whole body of ministers of the christian religion in contradistinction to the laity. The clergy originally consisted only of bishops, priests, and deacons; but in the 3rd century many inferior orders were appointed as subservient to the office of deacon; such as sub-deacons, acolytes, readers, &c. At first, probably, the clergy were not entirely relieved from the ordinary duties of life, so that they might devote themselves exclusively to their sacred office; yet it must have necessarily been nearly so, and it is certain that they were nominated to their offices by certain peculiar forms. The privileges and immunities enjoyed by the clergy of the early church were considerable. In some cases they were exempt from the cognizance of secular courts, from certain taxes and certain kinds of obligation to which others were liable, and were excused from the burden of civil

offices. Whenever they travelled, upon necessary occasions, they were to be entertained by their brethren of the clergy in all places, out of the public revenues of the church. If any controversies happened among them, they freely consented to have them determined by their bishops and councils, without having recourse to the secular magistrates. In all accusations against the clergy, especially against bishops, the character of the witnesses was inquired into before the testimony was admitted; nor would they receive the evidence of a heretic against a clergyman. The crimes involving punishment were simony, heresy, apostasy, murder, immorality, neglect of duty, &c.; and the punishments were various. Corporal castigation and imprisonment were sometimes resorted to; degradation, suspension, deprivation, and excommunication were the other modes usually had recourse to, according to the heinousness of the offence. The laws regarding the duties of the various classes of clergy were definite and stringent. No clergyman was allowed to relinquish his station without permission; and he could not remove from one diocese to another without the consent and letters of dismission from his own bishop. In some cases they could resign, and a retiring allowance was sometimes granted to such. Residence in their respective cures was obligatory, and no one could hold office in two dioceses. Severe laws were enacted against wandering clergy (*vagantii*), or such as, having deserted their own church, would fix in no other, but went roving from place to place. There were also laws prohibiting them from following any secular employment which might divert them too much from their proper duties. They were likewise forbidden to frequent fairs or markets, to eat and drink in taverns, or to attend public amusements. No special clerical dress appears to have been in use before the 6th century. Most of the privileges and immunities which the clergy enjoyed in England were taken from them at the time of the Reformation. Among those which they still possess are exemption from serving on a jury, from the office of bailiff, reeve, constable, or the like; neither can they be pressed to serve during the wars. They are privileged from arrest in civil cases in going to, during, or returning from the celebration of divine service. Clergymen are disqualified from sitting in the House of Commons, nor can they engage in any kind of trade. Neither can a clergyman farm lands to the extent of more than eighty acres without a written permission from the bishop of the diocese, such permission specifying the number of years for which it is granted, and in no case exceeding seven. Clergymen are, by the ecclesiastical law, liable to be punished and corrected for loose, immoral, and profane conduct, for irreligious language, for irregularity in discharge of duty, or for preaching and maintaining doctrines contrary to the articles of the creed which they profess. For such they may be called to account by their ecclesiastical superior, by whom they may, if the charges are proved against them, be punished by admonition, suspension, degradation, or deprivation, as the case may require. (See CHURCH OF ENGLAND, ROMAN CATHOLICISM.)

CLERGY, BENEFIT OF. (See BENEFIT OF CLERGY.)

CLERK, *klark* (Lat., *clericus*), was a term originally applied only to clergymen, being, in fact, a contraction of the Latin word *clericus*.

As learning was at one time almost entirely confined to the clergy, the word naturally came to be synonymous with a learned man, or one who could write. Hence we have the double meaning of the term—a clergyman and a scribe, or one whose principal business is writing. In the former sense it is now seldom used except in formal documents; but from it has come a secondary meaning, in which it is applied to certain laymen appointed to conduct or lead the responses of the congregation. These were originally real clerks, *i.e.*, clergymen, generally in minor orders, who assisted the officiating priest. Parish clerks, after being duly chosen and appointed, are usually licensed by the ordinary. By a recent enactment, persons in holy orders may be appointed to this office. Clerk now means, in popular language, a book-keeper in an official or mercantile establishment, or one engaged in connection with official or commercial correspondence.

Clerk of the Parliaments, is the chief ministerial officer of the House of Lords; he and his assistants make minutes of the proceedings of the House, records its votes, resolutions, orders, and divisions, issue directions consequent upon its orders, prepare the journals, and superintend and verify the preparation and distribution of the printed documents issued by the House.

The Clerk of the House of Commons, is the chief officer of that house, but nominally he is deputy of the clerk of the parliaments. He holds office for life under letters patent from the crown. He has the general charge of the official business of the house, assists and advises the Speaker in matters relating to the rules and practice of the House, and signs all orders and all bills which pass the Commons; he has the custody of all records and other documents of the House, and is required to take notes of all orders and proceedings, and to record the votes.

Clerk of the Crown in Chancery, is an officer of the Crown in attendance upon the Lord Chancellor in Parliament. He makes out and issues all writs of summons to peers, writs for the attendance of judges, commissions to summon and prorogue Parliament, and to pass bills. He also makes out and issues all writs for the election of members of the House of Commons in England and Scotland; receives and has the custody of all returns to Parliament for the United Kingdom; has the custody of all poll-books taken at elections; and makes out all warrants, commissions, appointments, or other instruments that pass the great seal.

Clerk to the Signet. (See WRITER TO THE SIGNET)

CLIENT, *klī-ent*, is a party to a suit, action, or proceeding, who employs an attorney, solicitor, or proctor to conduct his case in a court. Among the Romans, a client was a citizen who put himself under the protection of some great man, who, in respect of that relation, was called *patron*. He assisted his client with his protection, interest, and goods, and the client gave his vote for his patron when he sought any office for himself or friends. (See ATTORNEY.)

CLIMAX, *klī-maks* (Gr., *klímax*, a stair), is applied to a figure in rhetoric in which the speaker ascends, as it were by a series of steps, from one idea to another, each being characterized by greater force, dignity, or importance than its predecessor. The opposite of climax is *anticlimax*, or a descending from greater to less important ideas.

CLINICAL BAPTISM, baptism administered at the death-bed. Among the heretical opinions that at one time prevailed in the Church, was, that the sacrament of baptism washed away all sins previously committed; and hence

it was often deferred to near the end of life, when, it was thought, there was little risk of sinning more: such persons were called *clínici*.

CLOTHING, ARMY, a department of our military system by which, since 1855, the soldiers have been clothed by Government. The garments are mostly made by contract, and the consequence is that they are now of far better quality than formerly, as the inspection is very severe. The Government has also a large factory of its own at Grosvenor Road, Pimlico. The issue of new clothes takes place on the 1st of April, and the men are required to keep them in order. Before 1855, a sum of money was given to the captain of each company or to the colonel of each regiment for clothing his men, and he contracted with an army tailor for a supply and made a profit of sometimes 15s. per man. Under this system very inferior clothes were frequently supplied, and the disastrous results of having such bad clothes, seen in the Crimean war, led to the adoption of the present system.

CLOTHING, NAVY, a department of our naval system which provides seamen of the royal navy with clothes. While on the ship's books the men are given clothes by the Government, but a certain sum is subtracted from their pay to defray the cost, and cast-off clothes form part of the "marine stores" sold every year by auction by the Admiralty.

CLUNY, or CLUGNY, MONKS OF THE ORDER OF, *kle(r)'nī-e kle(r)'nī-ye*, were the first branch of the order of Benedictines, and took their name from the town of Clugny, in France, where they were first established. The Benedictines having become very lax in their discipline, Odo, abbot of Clugny, in 927, not only insisted on a rigorous observance of their rules by the monks under him, but likewise introduced new ceremonies of a severe nature. These new rules soon came to be observed in the principal monasteries in France, Spain, Italy, Germany, and Britain; and by the 12th century the order numbered 2,000 cloisters in different parts of Europe. All the monasteries of this order in England were governed by foreigners, and were subject to foreign houses; and it is said that it was not till 1457 that they were entirely freed of all subjection to foreign abbeys.

COAL DUES AND REGULATIONS.—

At a very early period, the corporation of London, undertook the duty of either weighing or measuring the coal brought into the port, and by an Act passed in the reign of Edward VI., were authorized to fix the price at which it should be sold. Coal dues were imposed in London the year after the great fire, in order to enable the corporation to rebuild the city, and the impost has since been continued, as a fund for civic improvements. fourpence a ton (besides the duty of ninepence a ton) being levied for that purpose. In the reign of William III., a tax equal in amount to one half the price of the coal at the pit's mouth (and in after years more) was imposed, but it was abolished in 1830. In 1845, the duty on coal exported (four shillings a ton), imposed in 1842, was repealed. In 1831, the Sale of Coal Regulation Act made the sale of coal by weight, instead of measure, compulsory. (See CHALDRON.)

COALITION, *ko-al-ish'-un* (Lat., *coalesco*, I grow together), denotes the conjunction of parts

which had before been separated into one whole. In the beginning of the French Revolution, it came to be used by French authors by way of contempt for the confederation of the other powers against France, the word alliance probably appearing to them too dignified for the object. Since that time the word has come into common use; but there is generally some idea of reproach implied in it. Continental diplomatists make this distinction between alliance and coalition—that the former is more general, while the latter is directed against a particular enemy for a particular object.

COALITION MINISTRIES. (See ABERDEEN, GRENVILLE, PELHAM, and PORTLAND ADMINISTRATIONS.)

COAST GUARD, a body of men formerly in the employment of the customs, for the purpose of watching and apprehending smugglers. In 1856, the control of the force was transferred to the Admiralty, and it is now constituted so as to serve as a defensive force if necessary. It must not exceed 10,000 men. The coasts of the United Kingdom are divided into nine districts, each under the command of a captain of the Royal Navy, and each district has at some port within its limits an iron-clad guard ship, which is used as a training ship for the Navy. The men of the Coast-Guard are all classed as able seamen, and in time of war may be called upon for service afloat. In 1859, a Coast Brigade of Artillery was established. In connection with the Coast-Guard, a corps of Coast Volunteers was formed in 1853; but it is few in numbers and of little importance.

COAST SURVEY.—In all maritime countries, it is of the highest importance to have an accurate knowledge of the formation of the coast, depth of water, exact position of headlands and rocks, &c. In Great Britain, the work is entrusted to the hydrographical department of the Admiralty. In the United States, the survey is a national undertaking of great importance. Charts of more than 240 harbours on the Atlantic and Gulf coasts, and 100 on the Pacific, and nearly 220 coast and sailing charts, have been published. About 60 surveying parties are constantly engaged.

COCCEIANS, *kok-si-gyans*, was a theological school which arose towards the middle of the 17th century, and took its name from its founder, John Cocceius, Professor of Divinity in the University of Leyden. They regarded the history of the Old Testament as a mirror which held forth an accurate view of the transactions and events that were to happen in the Church under the dispensation of the New Testament, and unto the end of the world. The greater part of the ancient prophecies, they maintained, were to be received in a literal manner, and by the very sense of the words used in these predictions. In fact, the whole system was an attempt to Judaize Christianity.

COOKS, DIVINATION BY. (See ALEOTRYOMANCY.)

COCK-CROW.—The vulgar belief that spirits are permitted to roam about the world in the night and are obliged to disappear at cock-crow, is very ancient, and is mentioned by the Christian poet Prudentius, who flourished in the

beginning of the 4th century, as being a common belief among the early Christians.

CODE, *koad* (from Lat., *codex*, a manuscript), in Jurisprudence is applied to a compilation of laws made by public authority. Several collections of the Roman law are designated by this name, the chief of which are, the Gregorian and Hermogenian codes, made by two celebrated juriconsults, Gregorius and Hermogenes, and containing the constitutions of the emperors from Hadrian to Constantine; the Theodosian code, published in 428 by command of the emperor Theodosius II.; and the Justinian code, prepared by command of the emperor Justinian, and first published in 529, and a second time after revision, in 534. The Gothic code, known as *Codex Legum Barbarorum* was a compilation of the laws of the barbaric or Gothic states. There are several of the modern systematic collections of laws designated by the title of code, as the code of Frederick the Great of Prussia; that of Catherine of Russia (confined to criminal jurisprudence); that of Joseph II. of Austria.

Code Napoleon is the most famous of modern codes. In France, before 1789, there was no uniform system of legislation; in some parts the Roman law prevailed, in others ancient custom, both being supplemented by royal ordinances. These having been abrogated at the revolution, several attempts were made to form a code of laws in accordance with their altered circumstances; but on account of the unsettled state of society at that period, nothing of a satisfactory nature was effected. At length, Napoleon, after he became first consul, appointed certain commissioners to draw up a project of a civil code, which was printed in the early part of 1800, and copies thereof transmitted to the different courts of France for their observations and suggestions. The whole was then laid before the legislative section of the council of state, and the various points successively discussed, Napoleon himself taking an active part in the debates. After being submitted to the tribunate, it was at length promulgated as the civil law of France in 1804. When Napoleon was raised to the empire, the title *Codex civil des Français* was changed to *Code Napoleon*. In 1816 the former title was restored, and in 1832 the title *Code Napoleon* was again given to it. This code, which regulates the civil rights of the people, as regards person and property, in its general arrangement and distribution resembles the Institutions of Justinian. It is divided into three books, the first of which treats of the civil relations of individuals; the second of property in its various kinds and modifications; and the third of the various modes in which property is legally acquired. Besides the *Codex civil*, the French written law comprises five other codes;—the *Codex de procédure civile*, the *Codex de commerce*, the *Codex d'instruction criminelle*, and the *Codex forestier*.

CODICIL, *kod-i-sil* (Lat., *codicillus*), is a supplement to a will, where anything is omitted which the testator would add, or which he would explain, alter, or retract; and it is the same with a testament, and taken as part thereof; and it must be executed in the same manner as a will, and be attested in the same manner by two witnesses at least.

CENOBITES, *se-no-bites* (Greek, *κοινος*, common, and *βίος*, life), also known as Synodites; monks who lived together instead of in a solitary manner. (See ANCHORITES.)

COGNOVIT, *kog-no-vit* (Lat., he acknowledges), is where a defendant acknowledges or confesses the plaintiff's cause against him to be just and true, and, at any stage of the cause before judgment, suffers judgment to be entered against him at once, or conditions for its postponement on terms arranged between him and the plaintiff. It must be signed in the presence

of, and attested by an attorney expressly appointed by the defendant.

COHABITATION. (See MARRIAGE.)

COLDSTREAM GUARDS, a regiment of Foot Guards in the Household Brigade, and, except the 1st Foot, the oldest corps in the British army. It was raised in 1660, by General Monk, at Coldstream, in Berwickshire, and was at first known as "Monk's Regiment." There are two battalions, and the uniform is scarlet, with blue facings. The regiment highly distinguished itself in Egypt, in the Peninsula, at Waterloo, and in the Crimea.

COLLATERAL, *kol-lat'-e-ral* (Lat., *collateralis*), that which hangs by the side, not direct; as *collateral assurance* is that which is made over and above the principal deed itself. *Collateral security* is where a deed is made of other lands or property besides those granted by the principal mortgage or other security; and if a man covenants with another, and enters into a bond for performance of his covenant, the bond is a *collateral* assurance, because it is external, and without the nature and essence of the covenant.

Collateral relations agree with lineals in this, that they descend from the same stock or ancestors, but differ in this, that they do not descend one from the other. Collateral kinsmen are such, then, as lineally spring from one and the same ancestor, who is the trunk or common stock whence these relations are branched out. (See ISSUUE.)

COLLATION TO A BENEFICE, *kol-lat'-shun*, is the act of conferring or bestowing a benefice by the bishop, or other ordinary, where he has the right of patronage.

COLLECT, *kol'-lekt* (Lat., *con*, together, and *lego*, I read), is applied to certain short prayers in the Liturgy of the Church of England, as also in that of Rome. Of the collects used in the Church of England, some are taken from the old Roman missal, others are more ancient, and some were composed after the Reformation. There is a special collect, with an epistle and gospel appointed, for every Sunday and festival, and for the saints' days recognised by the Church, and there are, besides, numerous special collects.

COLLEGE OF JUSTICE, in Scotland, consists of the supreme civil court, or Court of Session, with all its members and officers, including advocates, clerks of session, clerks of the bills, writers to the signet, solicitors before the supreme courts, &c.

COLLEGIATE CHURCH, *kol-le'-je-uit*, is so called from having a college or chapter of canons attached to it, but no bishop; and thus differs from a cathedral, which is the see of a bishop. It is under the jurisdiction of the bishop of the diocese in which it is situated.

COLLEGIANTS, *kol-le'-je-ants*, a religious sect formed among the Arminians and Baptists in Holland about the beginning of the 17th century. They received the name of Collegiants because they called their assemblies colleges. They assemble twice a week, and any one is allowed to expound the Scriptures or offer up prayer. They hold sacred conventions twice a year at Rheinsberg, near Leyden; whence they are sometimes called Rheinsbergers.

COLLUSION. (See CONSPIRACY.)

COLLYRIDIANs, *kol-le-rid'-i-ans* * (Gr., *koluria*, a little cake), were a party of female devotees, mentioned by Epiphanius. Towards the end of the 4th century they came from Thracia

into Arabia, and paid divine honours to the Virgin, celebrating annually a solemn feast in her honour, at which they offered cakes.

COLONIES, *kol'-o-ne* (Lat., *colonia*, a possession in land, a farm; from *colo*, I till or cultivate). A colony originally signified a number of persons transferred from one country or place to another, where lands were allotted to them. If to this we add that they still retain a certain political connection with the mother-country, the definition will be sufficiently correct. Four kinds of colonies are distinguishable:—1, such as serve to ease the inhabitants of a country where the people have become too numerous to subsist conveniently together; 2, those established by victors among a vanquished people, to keep them in awe and obedience; 3, those formed by emigrants driven by oppression from their native country to seek peace and subsistence in distant parts; 4, such as are formed solely for purposes of trade. The Assyrians established military colonies in conquered countries, and the Phœnicians were among the earliest people that we have any account of as sending out colonies. In their commercial enterprises they established colonies in Cyprus, Crete, Sicily, and other islands of the Mediterranean, and on the coast of Spain. The Greeks were early prompted to colonization by the narrow limits of their territory; and they established communities in Asia Minor and the islands and coasts of the Mediterranean. Still, though these communities were in close connection with the parent states, they were not strictly colonies in the modern sense of the term. The Romans were among the first to organize a system of colonization under which the colonists still remained subject to the central power. The earlier Roman colonies were formed by establishing bodies of Roman citizens in places taken in war, who exercised authority over the vanquished, and kept them in subjection to the Roman power. Colonies were the outposts of the empire, the means by which the Latin language and civilization were impressed on subject peoples. The Romans had two kinds of colonies—the Roman and the Latin. The inhabitants of the former had nearly all the rights of Roman citizens, except suffrage, and observed the laws, religion, and festivals of Rome. The Latin colonists, on the other hand, though subject to the supremacy of Rome, formed a separate state, and possessed a constitution of their own. They did not enjoy the rights of citizenship, and in war served, not in the legions, but among the auxiliaries. There were also military colonies, which consisted of soldiers to whom land was given, instead of pay and provisions, after their campaigns. In modern times the states of Genoa and Venice were the first to turn their attention to colonization. The colonial establishments of the Genoese were commercial, similar to those of the ancient Phœnicians. They were governed by consuls sent from Genoa. The Venetian colonization was of a more military character. Portuguese colonization much resembled the Venetian, establishing military despotisms to centralize the native trade. As Portugal declined in colonial power, Spain rose into eminence—mainly in consequence of the discovery of the New World. Their settlements were essentially military. Gold and silver were the main objects of their enterprise—not as the legitimate proceeds of commerce, but as the spoils of force. At a later period, these settlements underwent modification toward a commercial

character. The Dutch, after establishing their independence, soon turned their attention to extending their commercial relations in foreign parts. By the early part of the 17th century they had taken, one after another, all the Portuguese settlements in the East, with the exception of Goa; and by the middle of that century their power had reached its height. Their possessions under the jurisdiction of the governor of Batavia had attained the extent of an empire; and these magnificent results were accomplished by a trading company, like the English East-India Company, and managed by a board of directors in Europe. The chief object of the Dutch in colonizing was to increase and to monopolize their trade, and to this all their efforts were directed. The French colonized Canada; but their establishments were too much of a military character, and the civil population increased very slowly. Louisiana they bought from Spain, but made little progress in it, and sold it to the United States. Their colony of Algeria was obtained by conquest.

Colonies of Great Britain.—The colonies and dependencies of Great Britain include about one-seventh of the land surface of the globe, and nearly a fourth of its population. The total area of these possessions is estimated at 7,649,000 English square miles, or more than sixty times the extent of the United Kingdom. Of this vast dominion, three million square miles are in America, a million in Africa, a million in Asia, and more than two millions and a-half in Australasia. The whole of the colonial possessions of Great Britain are grouped in thirty-nine administrative divisions, some of them embracing a number of formerly separate colonies. Of these thirty-nine colonies, and groups of colonies, three are in Europe, eleven in or near America, ten in or near Africa, seven in Asia, and eight in Australasia. The great Indian Empire is included in this enumeration, as the Imperial Government exercises a control over its affairs, and it has no representative institutions. It is the most extensive and important dependency the world has ever known. We are chiefly indebted to Mr. Frederick Martin's "Statesman's Year-book," for the following summary of information respecting our colonial empire. The form of government is stated after the definition given in the "Colonial Office List," under which the colonies are divided into three classes, namely, first, *Crown Colonies*, in which the Crown has the entire control of legislation, while the administration is carried on by public officers under the control of the Home Government; secondly, colonies possessing *Representative Institutions*, in which the Crown has no more than a veto on legislation, but the Home Government retains the control of public officers; and, thirdly, colonies possessing *Responsible Government* in which the Crown has only a veto on legislation, and the Home Government has no control over any public officer, except its own representative.

Colonial Possessions.	Date of Acquisition.	Form of Government and title of chief executive officer.
<i>In Europe:</i>		
Cyprus	1878	Crown; Governor.
Gibraltar	1704	" Governor.
Heligoland	1814	" Governor.
Malta	1800	" Governor.
<i>In America:</i>		
Bahamas	1669	Rep. Inst.; Gov.
Bermudas	1619	" Gov.
Canada, Dominion of	1623-1760	Rep. Gov.; Gov.-Gen.
Falkland Islands	1833	Crown; Governor.
Gulfam	1803	" Governor.
Hongkong	1840	Crown; Lieut.-Gov.
Janetia and Turks Islands	1629-55	Captain-Gen.
Leeward Islands	1666-1763	Rep. Inst.; Gov.
Newfoundland	1583	Rep. Gov.; Governor.

Colonial Possessions.	Date of Acquisition.	Form of Government and title of chief executive officer.
<i>In America:</i>		
Trinidad	1797	Crown; Governor.
Windward Islands	1605-1803	Rep. Inst.; Gov.
<i>In Africa:</i>		
Ascension	1815	Crown; Governor.
Cape of Good Hope	1806	Resp. Gov.; Governor.
Gambia	1611	Crown; Admin.
Gold Coast	1660	" Admin.
Griqualand West	1871	" Governor.
Lagos	1661	" Admin.
Mauritius	1810	" Governor.
Natal	1843	Rep. Inst.; Governor.
St. Helena	1650	Crown; Governor.
West Africa (Sierra Leone, &c.)	1788-1866	" Governor.
<i>In Asia:</i>		
Aden	1838	" Governor.
Ceylon	1796	Rep. Inst.; Governor.
Hong Kong	1843	Crown; Governor.
India	1625-1849	" Gov.-Gen.
Labuan	1846	" Governor.
Perim	1855	" Gov. of Aden.
Straits Settlements	1785-1819	" Governor.
<i>In Australasia:</i>		
Fiji Islands	1874	" Governor.
New South Wales	1787	Resp. Gov.; Governor.
New Zealand	1841	" Governor.
Queensland	1859	" Governor.
South Australia	1836	" Governor.
Tasmania	1803	" Governor.
Victoria	1787	" Governor.
Western Australia	1829	" Governor.

The population of the British colonies in all parts of the world is estimated at 75,000,000. A leading principle of the colonial policy of the British Government is expressed in a resolution of the House of Commons in 1862. It recognised the claims of colonies for protection from consequences of imperial policy, but "is of opinion that colonies exercising rights of self-government ought to undertake the main responsibility of providing for their own internal order and security, and ought to assist in their own external defence."

COLONIZATION. (See COLONY.)

COLONIZATION SOCIETY, *kol-on-izai'-shun*, a society in the United States of America, founded in 1816, with a view "to promote and execute a plan for colonizing (with their consent) the free people of colour residing in that country, either in Africa or some other place, as Congress shall deem expedient." Sherbro, on the western coast of Africa, was selected as a suitable spot for the colony, and in 1820 the first ship was despatched with 88 colonists. In 1828 it contained more than 1,200 inhabitants; and subsequently it received the name of Liberia. In 1847 Liberia, with the full consent of the society, became an independent republic.

COLOSSIANS, EPISTLE TO THE, *ko-losh'-yans*, is one of the smaller canonical epistles of the New Testament, addressed by St. Paul to the Christians of Colosse, a city of Phrygia. The evidences in favour of the authenticity of this epistle are so strong, that few have ventured to deny it. It is generally believed to have been written by the apostle Paul from Rome about A.D. 62. There is a very close connection between this epistle and that addressed to the Ephesians. They were both written about the same time, and the condition of both churches was somewhat similar. The chief object of the apostle in this epistle was evidently to counteract certain philosophic or Judaistic doctrines that had crept into the Colossian church, and which he regarded

as endangering the purity of the Christian religion. He exhorts them steadfastly to adhere to the doctrines which he taught, and to reject all such errors.

COMBINATION, *kom-bin-ai'-shun*, a term in political economy, defined as "an agreement or union among workpeople to effect an increase of wages, or some modification of the terms or conditions under which they are engaged." This is the sense in which it is commonly used, but it may also be applied to a union among masters or employers to keep up prices or keep down wages. Formerly, the Government considered it its duty to interfere largely in contracts entered into between masters and servants. In particular, severe laws were enacted against workmen combining together to raise their wages or to oppose their reduction. The injustice of these enactments became so apparent, that in 1824 a committee of the House of Commons was appointed to inquire into and report upon them. In terms of this report, Act 5, Geo. IV. c. 95 (1824), was passed, repealing all the statute and common law against combinations of masters or of workmen; and provided a summary mode of conviction, and a punishment, not exceeding two months' imprisonment, for violent interference with workman or master, and for combinations for that purpose. This statute having been found defective, another was passed the following year (6 Geo. IV. c. 120). It was amended in 1835 by 22 Vic. c. 34. The law legalizes all meetings or agreements, either verbal or written, for regulating the rate of wages or hours of work; but, at the same time, it imposes a penalty of not more than three months' imprisonment, with or without hard labour, for any one using violence or threats to make a workman leave his hiring or return work unfinished, or refuse to accept work, or belong to any club, or contribute to a common fund, or pay any fine for not belonging to a club or contributing to a common fund, and for using violence to make any master alter his mode of carrying on his business. At present, therefore, combinations to raise wages or limit the hours of labour are perfectly legal, if unaccompanied by threats or violence; but any attempts at intimidating or preventing masters from employing other workmen, or other workmen from taking employment, at any wages they please, are illegal. Combination has its right side and its wrong; it is right when used as a means of protection, wrong when resorted to for oppression. The subject of illegal combinations will be found treated under the head of CONSPIRACY and STRIKES.

COMITIA, *kom-ish'-ya* (Lat., *co*, cum, or *zen*, with, and *ire*, to go).—Comitium is the place of meeting, and comitia the people itself, or the assembled meeting. In the Roman constitution the comitia were the ordinary legal meetings or assemblies of the people, and distinct from the *conciones* and *concilia*. *Comitia* were those assemblies convened by a magistrate for the purpose of putting any subject to their vote. There were various kinds of *comitia*: the *comitia calabra*, which met on the Capitol in front of the Curia Calabra, where the people assembled, acted only a passive part, listened to what was announced, and witnessed what was performed. The *comitia curiata*, where the people present had to decide by their votes whether the measures brought before them should be adopted or rejected. The main points to be decided were the election of the magistrates, including the king

himself, the passing of laws, peace and war, and the capital punishment of Roman citizens. The *comitia centuriata*, which endeavoured to unite the various elements of which the Roman people consisted into one great political body, in which power and influence were to be determined by property and age. For this purpose, Servius Tullius divided the whole body of Roman citizens into six property classes and 193 centuries or votes; from which the assemblies in which the people gave their votes were called the *comitia centuriata*. The *comitia tributa*, which were also called into existence by the constitution of Servius Tullius, who divided the Roman territory into thirty local tribes. These divisions, which were originally a purely topographical arrangement, became in course of time a formidable political power.

COMITY OF NATIONS, *kom'-e-to* (Lat., *comitas gentium*, courtesy of nations), is a phrase expressing the true foundation of the recognition and effect sometimes given to the laws and institutions of one country within the territories of another. It is derived altogether from the voluntary consent of the latter, and is inadmissible when contrary to its known policy or prejudicial to its interests.

COMMANDER, *kom-man'-der* (Fr.), the term employed to designate an officer in the royal navy who holds rank between a captain and lieutenant. In official etiquette, he ranks with a lieutenant-colonel in the army.

COMMANDER-IN-CHIEF, the popular designation of the general officer who has the control of the entire military force of Great Britain and Ireland. He generally holds the rank of Field-marshal. Since the death of the Duke of Wellington, however, the title of the office has been Field-marshal, or General, commanding-in-chief. The holder of the office is now subordinate to the Secretary of State for War.

COMMANDERY, *kom-man'-der-e*, in the Middle Ages, was a kind of benefice or fixed revenue attached to certain orders of chivalry, and conferred upon aged knights who had rendered worthy services to the order of the state. Commanderies were of different kinds among the different orders; and, after the system of benefices was abolished, the title was still retained and conferred as an honorary dignity, as in the present day the second rank of the order of knights of the Bath are termed knight commanders. At the time of the suppression of the religious houses under Henry VIII., there were at least fifty commanderies, or preceptories, as they were often called, in England.

COMMENDAM, *kom-men'-dam* (Lat.), a term originally applied to a benefice which, during avoidance, was committed to the care of a person who discharged the spiritual duties, but had nothing to do with the emoluments. Such a person was said to hold it *in commendam*. In time, however, the restriction as to interfering with the profits came to be evaded; and this came to be adopted as a mode of enjoying pluralities. By the law of England, no benefice could be held *in commendam* without a license from the crown; and sometimes clergymen promoted to bishoprics with insufficient revenues were allowed in this way to retain their benefices; but by 6 and 7 Will. IV. c. 77, it is provided that no ecclesiastical dignity, office, or benefice shall be

held in *commendam* by any bishop, unless he shall have held the same when the act passed.

COMMENDATOR, *kom-men-dai'-tor*, in Scotch law, persons appointed to receive the revenues of a benefice during a vacancy, were entitled *commendators*. They were at first only trustees, but in course of time the Pope assumed the power of appointing them for life, without any obligation to account.

COMMINATION, *kom-min-ai'-shun* (Lat., *comminatio*), is a threat or denunciation of vengeance. In the Liturgy of the Church of England it is an office appointed to be read on the first day of Lent, or Ash-Wednesday, in room of the ceremony in the Church of Rome of sprinkling ashes on the head on that day. It is entitled "A commination or denouncing of God's anger and judgment against sinners;" and may be used "at other times, as the ordinary shall direct."

COMMISSARIAT, *kom-mis-sai'-re-at*, a term taken from an old French word, and applied to a body of men under the immediate command of a commissary-general or assistant commissary-general, who are attached to an army in the field, for the purpose of providing the necessary stores and provisions for the soldiers. In 1870, the Commissariat was merged, with other supply departments, in the great control department, which, under the surveyor-general of the ordnance, performs all the civil administrative duties of the army. It is now known as the Commissariat and Transport Staff.

COMMISSARY, *kom'-mis-sar-e* (Fr., *commissaire*, one who is appointed or commissioned to execute some duty on behalf of another. The commissary of a bishop is an officer delegated by him to hold an inquiry or commissarial court in some distant part of the diocese: his powers are similar to those of the chancellor of the diocese, who sits in the consistorial court.

Commissary Court, in Scotland, was a court established in Edinburgh, at the time of the Reformation, for the trial of such cases as had formerly come within the jurisdiction of the bishops. Its powers were from time to time diminished, until it was entirely abolished in 1836, and its powers transferred to the Court of Session. At present there is what is called a commissary court in each county, of which the sheriff is commissary; but its jurisdiction is limited to decreeing and confirming executors to deceased persons having property in Scotland and relative matters.

COMMISSION, *kom-mis'-shun* (Latin, *committere*, to entrust), the warrant or letters patent which all men exercising jurisdiction, either ordinary or extraordinary, have to authorize them to inquire into, hear, or determine any cause, action, or matter; as the *commission* of the judges, justices of the peace, &c.

In the Army and Navy, the name given to a small document printed on parchment, and addressed to the officer who is named therein, authorizing him to perform certain "duties, matters, and things, that by law do appertain to the said commission," which he is called on to discharge, in virtue of the rank he holds in the regiment or corps to which he is appointed. **Commissions of officers** in the army are signed by the Queen; those of officers in the navy, by the first lord of the Admiralty; and those of volunteer officers, by the lord-lieutenant of the county in which the corps to which they belong have been raised. Commissions in the army were formerly obtained by purchase, but the system was abolished in 1871. (See *ARMY*.)

Commission of Lunacy, a commission issued out of Chancery to inquire whether a person represented to be a lunatic be so or not.

Commission of the Peace.—Justices of the peace are appointed by the Queen's special commission under the great seal, the form of which was settled by all the judges in 1590: this appoints them all jointly and separately to keep the peace, and any two or more of them to inquire of and determine felonies and other misdemeanours. Stipendiary magistrates, specially appointed for the metropolitan and other districts, have the power to act singly, and with the same jurisdiction and power as two or more justices of the peace. (See *MAGISTRATE*.)

COMMITTEE, *kom-mit'-te* (Fr., *comité*), a certain number of persons elected or appointed from a more numerous body to perform some special act or investigation. Although a committee does not usually consist of less than three members, it may be formed of one member only. On the other hand, the whole of the members of a body may be resolved into a committee; as, for instance, in the two Houses of Parliament.

Committee of Public Safety (Fr., *Comité de Salut publique*), was the term applied to a number of members of the National Convention during the reign of terror, 1793-4, who acted as the dictators of France. The committee arose out of that section of the Convention called the "Mountain," which had gained the victory over the Giroude party; and at length its power came to be concentrated in three of its members—Robespierre, the real chief, Couthon, and St. Just. The career of this sanguinary tribunal was brought to a termination by some of their former associates impeaching its members before the Convention; and a reaction having taken place in the public mind, Robespierre, Couthon, and St. Just were executed on the 9th Thermidor (July 28, 1794).

COMMITMENT, *kom-mit'-ment* (Lat., *committo*, I commit), is the ordering into custody an offender, or supposed offender, in order that he may be committed to prison to answer the offence. A commitment may also be made by a court of record for contempt for not obeying its order (in cases where a judgment cannot be entered) to pay costs, a fine, or other moneys, or otherwise disobeying its mandate. Each of the Houses of Parliament may, by warrant, commit a person for contempt of its power or authority, or a breach of its privileges.

COMMODORE, *kom-mo-dore* (Span., *comandador*, a commander), the designation of an officer in the navy who has the command of a small number of ships separated from the fleet for any special service. The office is held by a captain, who ranks with a brigadier-general in the army. Commodores rank in the navy next to rear admirals.

COMMON, *kom-mon* (Lat., *communis*; Fr., *commun*), or right of common, is an incorporeal hereditament, and a profit which a man has in the land of another; as, to feed his beasts, to catch fish, to dig turf, to cut wood, or the like. It derives its name from the community of interest which thence arises between the claimant and the owner of the soil, or between the claimant and other commoners entitled to the same right, all which persons are entitled to bring actions for injuries done to their respective interests; and both as against strangers and against each other. The division of common lands, or those over which common is claimed among the parties possessed of such rights, or the permission to the owner to enclose the lands or making compensation to the owner of common rights, has been the subject of regulation by a large number of statutes. Commissioners of common lands were appointed by the Inclosure Act of 1845, and an

act for the regulation of common near the metropolis was passed in 1876. In 1873, the Metropolitan Board of Works was entrusted with certain limitations, to secure common. Since 1844, by the authority of 4,000 private Acts and the Public Acts referred, about 8,000,000 acres of common land have been enclosed.

COMMON COUNCIL, is the council of a city or corporate town, empowered to make by-laws for the government of the citizens. The common council of London consists of two houses, —the upper house, composed of the lord mayor and aldermen; and the lower house, of the common councilmen elected by the several wards. The members of the common council are elected annually by the ratepayers of the different wards.

COMMON LAW.—The common law is grounded on the general customs of the realm, and includes in it the law of nature, the law of God, the principles and maxims of the law, and the decisions of the superior courts, which are founded thereon, and is claimed to be the perfection of reason, acquired by long study, observation, and experience, and refined by learned men in all ages. It is an unwritten law; and is overruled by statute law, and by equity law too, when the two systems are in conflict. (See **LAW**.)

COMMON LAW, COURT OF. (See **JUSTICE, COURT OF**.)

COMMON PLEAS. (See **JUSTICE, HIGH COURT OF**.)

COMMON PRAYER. (See **LITURGY**.)

COMMON-SENSE PHILOSOPHY, is a term employed to designate a certain system of philosophy which professes to accept the testimony of our faculties as trustworthy within their respective spheres. (See **BERKELEIAN PHILOSOPHY**.) The philosophy of common sense has been ably vindicated by Sir William Hamilton, in one of his notes appended to his excellent edition of Reid's works. He maintains that the end of all philosophy is truth, and consciousness is the instrument and criterion of its acquisition; that philosophy is thus wholly dependent upon consciousness; that consciousness is to be presumed trustworthy until proved mendacious; that no attempt to show that the data of consciousness are (either in themselves or their necessary consequences) mutually contradictory has yet succeeded; and the presumption in favour of the truth of consciousness, and the possibility of philosophy, has therefore never been relinquished. "Nature is not gratuitously to be assumed to work not only in vain, but in contradiction of herself; our faculty of knowledge is not without ground to be supposed an instrument of illusion; man, unless the melancholy fact be proved, is not to be held organized for the attainment, and actuated by the love of truth, only to become the dupe and victim of a perfidious creator."

COMMONS, HOUSE OF. (See **PARLIAMENT**.)

COMMONWEALTH. (See **REPUBLIC**.)

COMMONWEALTH OF ENGLAND, *kom-mon-welth*, was that form of government established in England on the death of Charles I., in 1649, and which existed during the protectorate of Oliver Cromwell and his son Richard, until the abdication of the latter in 1659.

COMMUNE, *ken'-mun*, in France, a subordinate territorial subdivision of the country, less than a canton, and corresponding in some measure to an English parish. A commune includes sometimes a single town, and sometimes several villages, and each has a mayor and a communal municipality. There are nearly 36,000 communes in France.

Commune of Paris.—After the insurrection of July, 1789, the revolutionary committee took the name of "Commune of Paris;" but in July, 1794, it was replaced by twelve municipalities. In 1871, during the insurrection of March, the Commune of Paris was proclaimed. (See **COMMUNISTS**.)

COMMUNION, *kom-mu'-ne-on* (Lat., *communio*, mutual participation), in a general sense, denotes fellowship or intercourse between two or more persons. In ecclesiastical affairs, it is fellowship with any particular church; and hence a person is said to be in communion with a church who declares his acquiescence in its doctrines and participates in its worship. Different churches, too, are said to be in communion when they are united in doctrine and discipline. Communion is applied, in a more limited sense, to participation in the sacrament of the Lord's Supper. (See **SACRAMENTS**.) *Free Catholic communion* denotes that all who have been baptized, either in infancy or adult age, may, on a credible profession of their faith, sit down at the Lord's table with others of different denominations. *Strict communion*, on the contrary, is confined to a particular denomination. *Communion service* is the office in the Liturgy of the Church of England for the administration of the Eucharist. *Communion elements* are the bread and wine employed in the Eucharist.

COMMUNION OF SAINTS, according to the Apostles' Creed, one of the articles of the Christian faith. It is defined by Protestants as the fellowship of Christians with the Father and with one another. The Romish definition is the union between the Church triumphant in heaven, the Church militant on earth, and the Church suffering in purgatory.

COMMUNISM. (See **SOCIALISM**.)

COMMUNISTS, OR COMMUNALISTS, the name assumed by an extreme political party in France, who advocate the division of the country into about a thousand communes, or independent states, with councils elected by the people generally, and having a federative association with Paris for the head. They denounce capital, and all forms of religion. In 1871 they were guilty of great excesses.

COMMUTATION OF TITHES. (See **TITHES**.)

COMPANIES OF THE CITY OF LONDON.—These companies originated in associations of members following particular handicrafts, for the purpose of protecting their special interests; but, in nearly every case now, members are admitted who have no connection with the trades, the names of which are borne by the companies. The great companies elect royal and distinguished persons as members, and princes, noblemen, and famous generals are citizens and "fishmongers," or "merchant tailors," &c. There are 12 chief companies, who take the title of "honourable," and 79 others. (See various headings for the chief companies.) There are endowed charities

in connection with most of the companies, amounting in value to nearly \$1,000,000. A commission of inquiry into the management of the funds was appointed in July, 1831.

COMPENSATION, *kom-pen-sa'-shun*, in Scotch law, equivalent to "set off," in English law, provides that when two parties are mutually debtors and creditors, their debts shall extinguish each other, if equal, and if unequal leave only a balance due. Compensation must be pleaded.

COMPETITIVE EXAMINATIONS. (See EXAMINATION.)

CONCEPTION, IMMACULATE. (See IMMACULATE CONCEPTION.)

CONCEPTION OF OUR LADY, NUNS OF THE ORDER OF, a religious order of nuns, founded by Beatrix de Sylva, sister of James, first count of Portalegre, in Portugal. Pope Innocent VIII. confirmed the order in 1489, and granted them permission to follow the rule of the Cistercians. After the death of Beatrix, they were placed under the direction of the Franciscans, as the most zealous defenders of the immaculate conception, and, at the same time, they were required to follow the rule of St. Clara. Their dress consists of a white gown, blue mantle, and scapulary, with an image of the Virgin.

CONCLAVE, *kon'-klaiv* (Lat., a private room), the name given to the assembly of cardinals, met together for the purpose of electing a Pope, and it is also applied to the place in which they meet for that purpose. The conclave originated after the death of Clement IV., in 1268. The cardinals were for nearly three years unable to agree in the choice of a successor to the Papal chair, and the magistrates, by the advice of St. Boraventuras, locked up the cardinals until they agreed. *Conclavist* is a spiritual or secular attendant on a cardinal during a conclave. Each cardinal has three such attendants, who have to take a vow of inviolable silence, and are not allowed to leave till the business is over, except on the ground of dangerous illness.

CONCLUSION, *kon'-klu'-zhun* (Lat., *conclusio*), in Logic, is that proposition which is inferred from certain preceding propositions, called the premises of an argument.

CONCORDAT, *kon'-kor'-dat* (Lat.), the name given to a formal agreement entered into between the Pope, as head of the Roman Catholic church, and the temporal ruler of a state, regarding ecclesiastical affairs within that state. These usually regard the right of appointing to vacant sees and benefices, the right to the revenues of vacant sees and livings, and the obtaining certain immunities for the clergy; as exemption from taxation, secular jurisdiction, &c. These have formed subjects of frequent dispute between the Popes and the several states of Europe, and have given occasion to concordats settling the rights of each party in any particular state. Most of the concordats have been extorted from the Popes, and have been, more or less, concessions of what the Church claims as her rights to the civil power. One of the most important of the earlier concordats was that of Worms, made in 1122, between Pope Calixtus II. and the Emperor Henry V. of Germany, which has since been considered as a fundamental law as regards the relations between the Church and the State in Ger-

many. Sometimes, however, the Popes succeeded in concluding concordats to their advantage; but since the middle of the 18th century, the Church has been obliged to resign by concordats many important privileges. One of the most remarkable of the latter of these was that extorted by Napoleon, in 1801, from Pope Pius VII. By it the French Government obtained the right to appoint the clergy; the clergy became subject, in civil matters, to the temporal power, and all immunities were abolished. But the most remarkable concordat of modern times is that which was entered into between the Pope and the Emperor of Austria, in 1855. By it the papal power was widely extended over all the Austrian dominions, and greater privileges conceded to it than had ever before been granted by any German sovereign. By it not only was the Church sole power in ecclesiastical matters, independent of the State, but all institutions for educational purposes are under its control; and it has the power of preventing the dissemination of works of a dangerous character.

CONCRETE, *kon'-krete*, in Logic, a term employed in opposition to abstract, and applied to a notion of an object as it exists in nature invested with all its qualities and properties. Abstract, on the other hand, is applied to a notion of a particular property or quality, or an object thought of independently and apart from the object itself. Thus, a *just man* is a concrete notion, but *justice* is an abstract idea.

CONCUBINAGE, *kon'-ku'-bin-aj* (Lat.), is the cohabitation of a man with a woman to whom he is not legally united by marriage. In early times this was a common practice; and men of means had frequently, besides several wives, a number of concubines, as we read of in the Old Testament. The latter did not enjoy the same rights as a wife, and could be repudiated and dismissed at any time, but not sold into slavery. To guard the adult male offspring from debauchery, before marriage, parents commonly gave them female slaves as concubines, and these women were considered children of the house. Both among the Greeks and Romans concubinage was allowed; but it was not legally sanctioned until the time of Augustus. By the Lex Julia and the Lex Papia Poppaea concubinage was legally permitted to unmarried men; but not more than one concubine was allowed, and she must be not considered as legitimate, but were called *natural*, and the right of inheritance was very much limited. With the introduction of Christianity concubinage ceased, and Constantine the Great made laws against it. In all Christian countries it is now considered unlawful; yet there exists in Germany a peculiar kind of institution under the name of *morganatic*, or left-hand marriage, in which the manner of its being contracted, the man giving the woman his left hand instead of his right, and the woman so far as the parties are bound to each other for life; but the woman cannot bear the husband's name or title, neither can her children succeed to his property. The common law of Germany permits this kind of marriage between princes and nobility.

CONDITION, *ko'-ku'-shun*, a restraint annexed to a thing, so that the non-performance of the party to it shall deprive him of the thing, or expose him to loss, or by the performance of some condition

advantage; or it is a restriction of an act, qualifying or suspending it, and making it uncertain whether it shall take effect or not; also it is defined to be what is referred to an uncertain chance which may happen or not happen. There are conditions of divers kinds—viz., *conditions in deed and in law, conditions precedent and subsequent, conditions inherent, collateral, &c.*

Condition in Deed, is that which is joined by express words in a lease or other grant; as, if a man makes a lease of lands to another, reserving a rent to be paid at a certain day, with a proviso or condition that, in default of payment, the lessor may re-enter.

Condition in Law, or implied, is when a person grants another an office; as that of keeper of a park, steward, &c., for term of life. Here, although there be no condition expressed in the grant, yet the law makes one, which is, if the grantee do not justly execute all things belonging to the office, it shall be lawful for the grantor to enter and discharge him of his office.

Condition Precedent, is when a lease or estate is granted to one for life, upon condition, that if the lessee pay to the lessor a certain sum at such a day, then he shall have the fee-simple. In this case, the condition precedes the estate in fee, and on performance thereof gains the fee-simple. The same rule applies to all cases where something is to be performed antecedently to an event taking place.

Condition Subsequent, is when a man grants to another his manor in fee, upon condition that the grantee shall pay to him at such a day such a certain sum, or that his estate shall cease. Here the condition is subsequent and following the estate, and upon the performance thereof continues the estate.

Inherent Conditions, are such as descend to the heir, with the land granted, &c.

Collateral Condition, is that which is annexed to any collateral act.

CONDITIONED, PHILOSOPHY OF THE, *kon-dish'-und*, a phrase introduced by Sir William Hamilton to denote the limited region of knowledge open or accessible to the human mind. "The conditioned," he says, "is that which is alone conceivable or cogitable; the unconditioned, that which is inconceivable or incogitable. The conditioned, or thinkable, lies between two extremes, or poles; and those extremes, or poles, are each of them unconditioned, each of them inconceivable, each of them exclusive or contradictory of the other. Of those two repugnant opposites, the one is that of unconditional or absolute limitation; the other, that of unconditional or infinite limitation." The infinite and the absolute, properly so called, he holds to be equally inconceivable to us. "We must believe in the infinity of God; but the infinite God cannot by us, in the present limitation of our faculties, be comprehended or conceived. A Deity understood would be no Deity at all; and it is blasphemy to say that God only is as we are able to think him to be. We know God according to the finitude of our faculties; but we believe much that we are incompetent to know."

CONDONATION, *kon-do-na'-shun*, in legal phraseology, forgiveness, which may be urged as a defence against an action of divorce on the ground of adultery. If a husband resumes cohabitation with his wife who has committed adultery, he condones the offence and is barred from further proceedings.

CONFARREATION, *kon-far-re-a'-shun* (Latin, *panis farreus*), a form of marriage among the Romans, consisting of the employment of certain words in the presence of ten witnesses, and the performance of a religious ceremony in which a peculiar kind of bread (*panis*) is used.

It is supposed to have been the form originally practised by the patricians, and no persons, except those born of parents thus married, were eligible for some of the priestly offices.

CONFEDERACY, *kon-fel'-er-a-se* (Lat., *con*, together; *fœdus*, a league), a term in politics signifying an alliance of independent states for a common object. It is sometimes employed, but less properly, to the alliance of individuals. (See CONSPIRACY.)

CONFEDERATE STATES.—South Carolina seceded from the United States of America on December, 1860, and the example was speedily followed by Alabama, Florida, Mississippi, Georgia, Louisiana, Texas, Virginia, Arkansas, Tennessee, and North Carolina. Jefferson Davis was inaugurated president of the Southern Confederates in February, 1862. The Confederation was dissolved and the seceding States restored to the Union in 1865.

CONFEDERATION OF THE RHINE, *kon-fel'-er-a'-shun*.—During the war between France and Austria, in 1805, several German princes, feeling that they were too weak to remain neutral, were compelled to ally themselves with France; and two of them, the Electors of Bavaria and Württemberg, were elected to the dignity of kings, by the peace of Presburg, in December, 1805. On the 12th of July, 1806, sixteen German princes formally signed an act of confederation, in which they declared that their connection with the Germanic empire was dissolved, and that henceforth they were allied with France. Bacher, the French ambassador, at the same time declared that Napoleon no longer recognised the German empire. Several other princes joined the Confederation of the Rhine, as it was called, during the next two years; and at the close of 1808, a territory, with an area of 122,236 square miles, and a population of nearly 15 millions was under the protectorate of the French emperor. The terrible reverses sustained by the army of France, in the Russian campaign, led to the dissolution of the league, which was succeeded by the Germanic Confederation.

CONFEDERATION, THE GERMANIC, the federal union of the sovereign princes and the free towns of Germany referred to above. It was formed at the congress of Vienna in 1815, and was framed to supply the want of the ancient imperial government dissolved in 1806. As originally settled, Germany was divided into forty sovereign states, or portions of states, under the protectorate of the Emperor of Austria; but in 1866, the North Germanic Confederation, excluding Austria, was formed, and that lasted till the establishment of the new German Empire, in January, 1871, when the King of Prussia was chosen Emperor.

CONFERENCES, ECLESIASTICAL. (See ECLESIASTICAL CONFERENCES.)

CONFERENCE, WESLEYAN. (See WESLEYAN METHODISTS.)

CONFESSION, *kon-fes'-shun* (Lat., *confiteor*, I acknowledge), in Theology, is the verbal acknowledgment which a penitent makes of his sins to God or to a fellow-creature. Among the Jews, it was the custom on the annual feast of expiation for the high priest to make confession of sins to God, in the name of the whole people. Besides this general confession, the Jews were en-

joined, if their sins were a breach of the first table of the law, to make confession of them to God; but violations of the second table were to be acknowledged to their brethren. Confession seems to have been early introduced into the Christian Church; but at first it took place openly, and was chiefly in the case of such as had apostatized or been guilty of any flagrant offence, and, repenting, were desirous of being readmitted into the Church. The practice of private or auricular confession seems to have gradually crept in about the 5th century, and was made an indispensable preparation for the reception of the sacrament of the Eucharist. Innocent III., in the fourth Lateran council (1215), made it obligatory on every adult person to confess his sins to a priest at least once a year. Roman Catholics maintain that this law was not the origin of the practice of confession, but only defined the time of its fulfilment. The person confessing is not allowed to conceal any mortal sin that he remembers to have committed and not to have already confessed, and is exhorted, but not required, to confess also venial sins, and the father confessor is bound, under the severest penalties the Church can inflict, to perpetual secrecy. In the Greek, Russo-Greek, Coptic, and Syrian Churches, confession is obligatory; but in other Oriental Churches, the practice has fallen into disuse. The Augsburg Confession (which see) of the Lutheran Church asserts the necessity of private confession; but there is a wide departure from the practice, general confession and devotional exercises before receiving the communion being substituted. In the Church of England there is a general form of confession in the morning and evening services, followed by a form of absolution. There is also a general confession in the communion service; and in the office for the visitation of the sick, it is ordered that "the sick person be moved to make a special confession of his sins, if he feel his conscience troubled with any weighty matter." In recent years the practice of voluntary auricular confession has been resorted to by the Ritualist party. The Scotch Churches do not recognise the practice of confession in any form. Among the Wesleyan Methodists, a portion of the Liturgy of the Church of England is frequently read, the general confession being retained; but the practice is not uniform. Congregationalists, Baptists, and Protestant Dissenters generally have no form of confession. In some of the United States, the clergy, whether Protestant or Roman Catholic, are forbidden by statute to disclose information afforded in confession, or in confidential communication.

In Law, confession is where a prisoner indicted of an offence, and brought to the bar to be arraigned, upon the indictment being read to him, and the court demanding what he can say thereto, confesses the offence and the indictment to be true. Confession to be admissible must have been made without any promise or threat held out to induce it. In Scotland, some evidence in support of the confession is required before the accused is found guilty. Confession, in civil cases, is where the defendant confesses the plaintiff's right, or, in prosecutions under penal statutes, by which confession there may be a mitigation of a fine against the penalty of a statute, though not after a verdict.

Confession and Avoidance, is the admission of the allegation of the opposite party, but with the addition of some justifying circumstance.

CONFESSIONAL, *kon-fes-shun-al*, the place in which a priest of the Roman Catholic Church sits to hear confessions. It is generally

a small enclosed seat, with an opening having a grating of wire or perforated zinc, through which the penitents speak.

CONFESSION OF FAITH, is a formulary detailing the articles of faith held by any particular Church. The various confessions will be found noticed under their respective headings, or under the names of the different sects to which they belong, in other parts of this work.

CONFIRMATION, *kon-fir-mas-shun* (Lat., *confirmatio*, strengthening), in an ecclesiastical sense denotes the ceremony of laying on of hands by a bishop, in the admission of baptized persons to the enjoyment of Church privileges. In the early Church, this ceremony appears to have been performed immediately after baptism; but afterwards a delay of about seven years came to be interposed after infant baptism. The present practice in the Church of England is to delay it until about the fifteenth or sixteenth year; but there is no limit of age. The person confirmed releases his godfather and godmother from their obligations by taking upon himself the baptismal vows in their place, and is then entitled to partake (unless other objections exist) of the communion. In the Roman Catholic church, confirmation is held to be one of the seven sacraments, and is also a sacrament in the Greek Church. (See ROMAN CATHOLICISM and SACRAMENTS.)

In Law, confirmation ordinarily denotes an affirmative deed of conveyance at the common law, whereby an estate or right which is voidable is made sure and unavoidable, or a particular state is increased, or a possession made perfect; and it is a strengthening of an estate formerly made which is voidable, though not presently void. In Scotch Law, confirmation is the form in which a title to administer is conferred on the executor of a deceased person.

CONFISCATION, *kon-fis-kat-shun* (Lat., *confiscare*), forfeiture of lands or goods to the crown, as part of the punishment for certain crimes.

CONFUCIANISM, *kon-fu-si-an-ism*, the system of ethics which some writers have classed as one of three religions of the Chinese people, the others being Buddhism and Taoism. It is, however, rather a philosophy than a religion, as the originator of it made a very vague acknowledgment of the possibility of existence of any Divine Being, and indeed discouraged any speculations on the subject which he considered as beyond the scope of human cognizance. His teaching was limited to the ethics of social and political life, and bear no slight resemblance in many respects to the modern utilitarian philosophy. Confucius is the Latinized method of spelling the Chinese name Kong-fut-se (Kong the teacher). He was born 499 B.C., and showed great ability at an earnest age, held several official appointments, and at last, having suffered much persecution, settled down as a teacher of philosophy, and collected around him a number of able and earnest pupils, many of the most earnest men of the empire, especially those who were sedate and middle-aged adopting his views. In his life he was but slightly thought of by the mass of his countrymen; but after his death, his genius was recognised, and he was looked upon as almost a demi-god. To this day, the descendants of his family are the recipients of honours and privileges, and in nearly every great town in China there is a temple to his honour. In his system the material universe is regarded as eternal and self-sustaining, and that all things were subject

to inflexible laws imposed by necessity. So far as his conceptions of a Supreme power can be ascertained, they were of a pantheistic kind; and the Shaug-tu, whose outward emblem is the visible filament, is understood by most of the best Chinese expounders to be only "a verbal personification of the ever-present laws and order and intelligence which seems to breathe amidst the wonderful activities of physical creation." He anticipated in his practical teaching the famous precept—

"Know then this truth, enough for man to know,
Virtue alone is happiness below."

There were, he taught, five principal virtues—universal charity, impartial justice, conformity to ceremonies and established usages, rectitude of heart and mind, and pure sincerity; and three fundamental laws to be observed—the laws of relation between sovereign and subject, between father and child, and between husband and wife. The practice of these virtues and the observance of these laws would secure and preserve social order, domestic peace, and the safety of society. In order that men might be prepared to understand and practise these duties, education was necessary, and schools should be established throughout the empire. Virtue, he maintained, was natural to the human mind, and would be developed by proper education without the help of any spiritual or religious faith. As he knew, he admitted, nothing about supernatural beings, he taught nothing about them; but they might have some reality, and therefore wise men would not openly oppose religious and ceremonial worship. He gave no encouragement to metaphysical speculations; for as he felt compelled to accept the phenomena of the universe as facts, so he accepted the phenomena of the human mind, without being able to explain either. There were good and evil in the world, and all thoughtful men recognised the distinction between them. The duty of man was to accept and support the good and reject the bad, without perplexing themselves by inquiring how either good or bad came about. Veneration of ancestors was strictly enjoined, and the emperor was in the position of father of his people; he too was to receive veneration and worship. It has been said that Confucianism "appeals to practical men;" but practical as the mass of the Chinese have been and are, the higher and more sensitive minds among them felt that something more than the cold morality of the great teacher is required to satisfy the yearnings of the human soul, and, in the course of the 19th century, Tchu-hu, whom some European writers speak of as "the Chinese Aristotle," and by the learned Chinese themselves as the "prince of science," led a new intellectual movement, the fruits of which have been since apparent. He maintained that philosophical enquiry should not be limited to "matters of finance, economy, and etiquette, but extend to the nature of the world and its inhabitants, and the true relation of the sea and the temporal and the absolute and all-embracing." The works of Kong-fu-tse are the five canonical books of the "Kings," and four others, "the Four Books," composed partly by Sewiely, and partly by his disciples. (See CHINESE LITERATURE.)

CONGE D'ELIRE, *kon(g) 'jhay de(r) lee'* (Sh., leave to choose), is the sovereign's licence or permission sent to a dean and chapter to choose

or elect a new bishop when a bishopric becomes vacant. (See CHURCH OF ENGLAND.)

CONGREGATION, *kon gre-gay'-shun* (Lat., *con*, and *greg*, a flock), commonly signifies an assembly of persons met together for the purpose of religious worship. In the Roman Catholic church it is applied to certain boards of cardinals, prelates, and others intrusted with the management of particular branches of the affairs of the Church. There are twenty-one of these congregations, fifteen for spiritual and six for temporal purposes; the chief of them being the Congregation de Propaganda Fide, for consulting as to the advancement of the Catholic religion throughout the world; the Congregation of the Index, for examining books, and deciding upon their fitness for general perusal; the Congregation of Sacred Rites, for regulating all matters relating to ceremonies and rites in worship; the Congregation of Relics, for inquiring into the genuineness of sacred relics; the Congregation of the Holy Office, or Inquisition, for taking cognizance of heresies and all novel opinions; the Congregation of Religious Discipline; and the Consistorial Congregation. These congregations act as a check to the power of the pope; for, though their proceedings are usually sanctioned by him, he cannot put a veto upon them without weighty reasons. A company of monks or religious persons, forming a sub-division of an order, is also called in the Church of Rome a congregation.

CONGREGATION OF THE LORD, a title assumed by the first Scotch Presbyterian reformers, in contradistinction to the Church of Rome, which they called the "Congregation of Satan." They appeared first in 1557, and at a later period were led by John Knox. In December, 1557, the "lords of the Congregation," the Earls of Glencairn, Argyll, Morton, and others, signed the first bond, or "covenant." (See COVENANT.)

CONGREGATIONALISTS. (See INDIVIDUALISTS.)

CONGRESS, *kon' gress* (Lat., *con*, *con*, *grew*), a meeting of the rulers or representatives of different states, for the purpose of considering matters of international interest. Before a treaty of peace is signed, there is usually a meeting of plenipotentiaries, which is called a congress. The term is, however, more strictly applied to those great diplomatic conferences where extensive schemes of future policy are determined upon. The congress of Vienna, held in 1814-15, at the conclusion of the great war, is one of the most famous, and also the congress of Carlsbad, held in 1819, for regulating the affairs of Germany; the congress of Paris, held in the year 1856, at the conclusion of the Crimean war, had for its purpose the consideration of the relations between Russia and Turkey. The congresses of Constantinople and Berlin, after the Russo-Turkish war, were held in 1876 and 1878. The term congress has also been applied in late years to any philanthropical meeting on a large scale, in which the representatives of different nations have appeared; such as the Peace Congress, the Social Science Congress. (See separate articles.)

CONGRESS, UNITED STATES.—The national legislature of the United States of America, consisting of a Senate and a House of Representatives. The Senate, or Upper House, consists of two members from each State, chosen

by the State legislatures for six years. Senators must be not less than thirty years of age; must have been citizens of the United States for nine years; and be residents in the State for which they are chosen. Besides its legislative capacity, the Senate is invested with certain judicial functions, and its members constitute a high court of impeachment; but its judgment only extends to removal from office and disqualification. The House of Representatives, or Lower House, is composed of members elected every second year by the vote of all male citizens over the age of 21 of the several States of the Union. The number of members to which each State is entitled is determined by the census taken every ten years. By the law of 1872, the total was fixed at 392. According to the terms of the Constitution, representatives must not be less than twenty-five years of age, must have been citizens of the United States for seven years, and be residents in the States from which they are chosen. In addition to the representatives from each organized territory, who has the right to debate on subjects in which his territory is interested, but is not entitled to vote. The delegates are elected, like the representatives, by the vote of all male citizens over 21, with this difference, that in one territory, Wyoming, the franchise is also accorded to women. The election for representatives and delegates to Congress is held every two years, on the first Tuesday in November in even years; and the term of office, and consequently the duration of Congress, expires by law on the 4th day of March in every odd year, when the new House of Representatives begins its duties. The House of Representatives chooses its own speaker and other officers, has the sole power of impeachment, and originates all bills relating to revenue. The salary of a senator, representative, or delegate in Congress is 5,000 dollars, or £1,000, per annum, with travelling expenses. These expenses are calculated by the most direct route of usual travel, and similar return, once for each session of Congress. The salary of the speaker of the House of Representatives is 8,000 dollars, or £1,600, per annum. The Congress has the power to alter the Constitution, by the 5th article of the same. The article orders that the Congress, whenever two-thirds of both Houses shall deem it necessary to propose amendments to the Constitution, or on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing the amendments, which in either case shall be valid to all intents and purposes as part of the Constitution when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or other mode of ratification may be proposed by Congress. Congress has power to impose and collect taxes and excises, to arrange loans, to regulate commerce, to coin money, to raise and support the army and navy; to call out the military, and perform other necessary acts of government; but can make no laws respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or the press, or the right of the people peaceably to assemble and to petition the government for a redress of grievances. Every bill which has passed Congress must be approved by the President before it becomes law.

CONJUGAL RIGHTS, *kon'-ju-gal* (Lat.,

con, and *jugo*, I yoke). (See **DIVORCE** and **MARRIAGE**.)

CONSANGUINITY, or **KINDRED**, *kon-san-gwin'-i-te* (Lat., *consanguinitas*), is the connection or relation of persons descended from the same stock or common ancestor. (See **AFFINITY** and **COLLATERAL**.)

CONSCIENCE, *kon'-shens* (Gr., *sunesis*; Lat., *conscientia*; Fr., *conscience*, Ger., *gewissen*), is a term applied to the moral nature of man in general. According to its ancient usage among the Latins, the word *conscientia* was primarily applied to being privy to, together with another; and in its secondary meaning it bore a moral signification, or knowledge of one's own conduct, whether right or wrong. The modern use of the word is more extensive in its sense, denoting not only what the Latin moralists signified by it, not only the sense of the difference between right and wrong in our own and others' conduct, but containing likewise the important element of the feeling of human responsibility. This conscience, as it is at present accepted, is not only applied to the moral judgment which accompanies all moral actions, as to whether they are right or wrong, but it denotes, besides, that feeling of approbation or disapprobation, of rectitude or contrition, which invariably accompanies all moral actions. It is, in fact, the instinctive knowledge of right as distinct from wrong, which in a greater or less degree is felt by all human beings above the level of mere savagery. St. Paul describes it as the law of God written in the heart; and a knowledge of having acted in opposition to its directions produces remorse and fear of the consequences incurred. Thus, Shakespeare says, "Conscience does make cowards of us all."

CONSCIOUSNESS, *kon'-shus-ness* (Lat., *conscientia*), the recognition by the mind of its own acts. While it is thus a comprehensive term for the complement of all our mental energies, it nevertheless, from its high generality, cannot at all be defined. It is so elementary, that it is impossible to resolve it into any notion more simple than itself. But while consciousness cannot logically be defined, it may still be philosophically analyzed. The forms under which this condition of all thinking operates, are—I know that I know, I know that I feel, and I know that I desire; or, in other words, I am conscious that I know, feel, and desire. And while this is so, the act necessarily involves: (1) a knowing mind; (2) a known subject; (3) a recognition by the mind of its object. It accordingly appears that consciousness and knowledge mutually involve each other: they are not opposed as really diverse. It is somewhat remarkable, that a term in all ways so important and convenient should have escaped the subtle Greeks and the rhetorical Latins, and that it should have been reserved for Descartes, a Frenchman, to introduce the term *conscientia*, or consciousness, in its modern signification. An instance or two of the modern word may, no doubt, be found in Quintilian and the Latin fathers; but no consistent adoption of it is to be met with before the time just specified. Among the Romans, if two individuals or more had a common knowledge of some circumstance, such a knowledge was called *conscientia*, or (*con-scio*) *knowledge together with*; but, except this, the term was always employed in a moral sense, as equivalent to our word *conscience*. A great amount of mental ingenuity has been expended



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on the subject, without throwing much additional light on the real nature of consciousness. "When I am awake, I know I am awake," says an eminent American writer, and his analysis of sensations or acuteness of philosophical investigation can add much to the force of that expression.

CONSCRIPTION, *kon-scrip-shun* (Lat., *conscribere*, to enroll), the same given to the compulsory system of enlisting of soldiers for the army, practised in France and other foreign countries. Every Frenchman, as soon as he attains the age of 20, is liable to be drawn by lot to serve in the ranks for 7 years, unless he be incapacitated by any bodily or mental infirmity, or exempt from being the only son of a widow or a disabled or aged father, or the eldest son of a family that are left without parents. Pupils at college and those who are studying for the church, are also exempt, as well as those who have a brother already in the army or who has enlisted from wounds or infirmity.

CONSECRATION, *kon-sen-shun* (Lat., the solemn act of dedicating a person or thing to a religious service or use). In modern times, the consecration of men is usually a sacerdotal ordination, and that of temples, churches, altars, &c., is called dedication. Consecration was one of the most universal religious ceremonies of the ancients. It was practised in India, Egypt, Judaea, Chaldaea, Greece, Rome, among the Celtic Druids of Britain, and in Europe generally. At the commencement of the Mosiac dispensation, all the first born of man and beast were consecrated to the Lord. Subsequently the whole tribe of Levi were consecrated, and Aaron and his sons were specially consecrated to the priest's office. In the old Testament there is a description of the consecration of the tabernacle and altar, of the vessels of Solomon's temple, and also of the consecration of men, by oil, houses, fields, &c. the words of a solemn rite. It was not until the commencement of the present century, when Christianity, under Constantine, became the religion of the Roman state, that churches were publicly consecrated. The ceremony was then attended with great pomp and splendour. In the English church the burial-ground is consecrated.

Consecration of a Bishop, is the separating of a person for the holy office of a bishop, by imposition of hands and prayer. According to a canon of the Nicene council, there must be four, or at least three, bishops present at the consecration of a bishop. The ceremony used in the Church of England will be found in the Book of Common Prayer: it was prepared in the reign of Edward VI. It is stated in the preface that "no one shall be accounted or taken to be a bishop, or suffered to execute the same function, unless he be called, tried, and admitted thereto, according to that form, or hath had formerly episcopal consecration."

Consecration of Churches.—All churches in this country must be consecrated, as the law recognizes no place as a church till it has been consecrated by the bishop. The ceremony was formerly one of great solemnity and grandeur. Now each bishop adopts his own form, but the form of consecrating churches, chapels, and burying places, which was sent down by the bishops to the lower houses of convocation (1754), and altered by a resolution of the whole house in the year 1763, is the only one which has any competent authority.—see *Westminster*.

Consecration of the Elements. (See *Evangelism*.)

CONSEQUENCE, *kon-sen-kuens* (Lat., *consequi*, I follow), is that which follows or results from any cause, act, or principle.—In logic, it is applied to the conclusion of a syllogism or that which results from the premises.

CONSERVATIVES, *kon-serr-a-tivz*, members of a political party in this country, the successors of the Tories. (See *TORY*.) Their avowed principle is to preserve from innovation or radical change the existing institutions of the country, both civil and ecclesiastical; and they are therefore opposed to the Whigs and Radicals now styled Liberals. (See various headings.) The name Conservative was first adopted about 1830, Sir Robert Peel being one of the earliest who claimed the title. When he and his friends, by supporting Free Trade, advanced beyond the lines of the party, the other Conservatives repudiated them and gave them the name of Peelites. (See *PEELITES*.) The most eminent recent Conservative leaders have been the Earl of Derby and Mr. Disraeli (Earl of Beaconsfield). The Conservative Club in Pall Mall (established in 1840) is the head-quarters of the party.

In the United States.—The supporters of President Lincoln in his conciliatory efforts to restore the Union, in 1864, were known as the Conservatives.

CONSIDERATION, *kon-sid-er-ashun* (Lat., *consideratio*), in law, is the material cause of a contract, without which it cannot bind the party. The consideration is either expressed or implied. The latter is when the law itself enforces a consideration; as, if a man goes into a common inn, and, staying there some time, takes meat or lodging either for himself or his horse, the law presumes he intends to pay for both, notwithstanding there is no actual bargain or contract between him and his host. Also, there is a consideration of nature and blood, and a valuable consideration, and, therefore, if a man be indebted to others, and, in consideration of natural affection, gives his goods or estate to his son, this is a fraudulent gift as against the creditors (unless it be upon, or in consideration of, his marriage), because this act tends to a fraudulent consideration. Considerations of an illegal or immoral character are void.

CONSISTORY, *kon-sist-er-ee* (Lat., *consistorium*), was originally applied, under the later Roman emperors, to the place in which their privy council met, and afterwards to the council itself. When the Roman Church was established, this form of court was adopted by the ecclesiastical power, and, down to the present time, the highest council of state in the Roman government is called the consistory. The ordinary consistory, which is composed only of cardinals, and over which the Pope himself presides, meets once a week in the papal palace for the transaction of general business connected with the Church, the election of cardinals, bishops, and the like. Extraordinary consistories, or, as they are called, secret consistories, may be summoned at any time by the Pope, as occasion may require. The Protestant churches on the Continent have also their consistories, which manage the affairs of the Church. In England, the consistory is a spiritual court formerly held in the nave of the cathedral church, or some chapel or aisle belonging to it, in which the bishop presided, and had some of his clergy for assessors and assistants. This court is now held by the bishop's chancellor or commissary, either in the cathedral church or other convenient place in the diocese for hearing and determining ecclesiastical causes. (See *ARCHBISHOP'S COURT*.)

CONSOLIDATED FUND.—In 1765, the "aggregate," "general" and South Sea funds

were combined, forming the Consolidated Fund, and in 1816, the exchequers of Great Britain and Ireland, previously separate, were amalgamated, forming the Consolidated Fund of the United Kingdom. (See *REVENUE*.)

CONSOLIDATION ACTS.—Acts of Parliament which, for the purpose of securing uniformity, and to avoid the necessity of repeating clauses, consolidate or combine in one Act the provisions of various Acts having reference to public undertakings. Among the best known are the Companies' Clauses Consolidation Act, 1845; the Land Clauses Consolidation Act, 1845; the Railway Clauses Consolidation Act, 1845.

CONSOLS, *bon'zols*, a contraction of the term Consolidated Annuities. The British Government, during the process of borrowing the money which now forms the national debt, laid themselves under certain special conditions. These conditions generally consisted in an undertaking to pay an annuity of so much per cent. On account of the complication and confusion which arose from the number of stocks thus formed, in 1757 the Consolidated Annuities Act was passed. By this statute an average of the value of the different stocks was struck, and the whole consolidated into one fund, kept in one account at the Bank of England. (See *FUNDS*.)

CONSORT, *kon'sort* (*Lat., consors*, from *con* and *sors*, lot), is literally one who throws in his lot with another; a companion or partner in an undertaking; a husband or wife. By the law of England, the *queen consort*, the wife of the reigning king, is, in all legal proceedings, looked upon as a single, not as a married woman. She may purchase and convey lands, grant leases, and do other acts of ownership without the intervention of the king. She may also sue and be sued in her separate person in the superior courts and offices distinct from those of the king. She pays no toll, and is free from any fine which a court could impose upon women in general; but in other respects she is on a similar footing with the other subjects of the king. In her life and person, however, she enjoys the same protection as the king; it being high treason to design the death of either. The husband of a queen regnant is not endowed by the constitution with any distinctive rights or privileges. All his privileges and honours, therefore, must emanate from the crown under the form of warrant, grant, patent, &c., or else be conferred by Act of Parliament introduced after a royal message on the subject. Up to 1859, when the title of Prince Consort was bestowed upon him by letters patent, the late Prince Albert possessed no distinctive title and no place in court ceremonial but such as was accorded to him by courtesy.

CONSPIRACY. (See *CONSPIRACY*.)

CONSTABLE, *kon'ste-bul* (Old Fr., *conestable*, *kon'ste-bul*, *conestabulum*, and *staple*, the stay on hold of the flag, *kon'ste-bul*, literally, head of the soldiers, an officer who supports the queen by the maintenance of her peace. The office of king or chief constable was established in England by Edward I. (1272). From 1327 to 1337, he appointed two in every hundred to view the armaments of every person within the same, to present all such armaments before the justices, to present the knights of towns of high ward, and of such as held churches in urban areas for whom they would not receive. Their powers

were, by several Acts of Parliament, enlarged, and they are now conservators of the public peace in their hundreds, as the petty constables are in parishes; and they serve precepts or warrants on certain occasions, and return the list of jurors. They are appointed at the courts leet of the franchise or hundred over which they preside, or in default of that, by the justices at their special sessions. *Petty constables*, or *parish constables*, began to have been first appointed about the beginning of the reign of Edward III., to alleviate the burthen of the chief constable. They are now appointed by the justices under 5 and 6 Vic. c. 209. Their principal duty is the preservation of the peace and the service of the summonses and the execution of the warrants of the justices of the peace, to them directed, relative to the apprehension and commitment of offenders. *Special Constables* are persons appointed on particular occasions by the magistrates, who have power to appoint and swear in as many householders or others as they may think fit, who have no legal exemption from the office of constable. *County and District Constables* are appointed by the justices under the 2 and 3 Vict. c. 93, and 3 and 4 Vict. c. 88. (See *POLICE*.)

Lord High Constable of England, a great officer of the Crown, who was formerly associated with the Earl Marshal as judge of the Court of Chivalry. The office existed before the Conquest, after which it went by inheritance to the Earls of Hereford and Essex, and next in the line of Stafford. On the attainder of Edward Stafford, Duke of Buckingham, in 1521, the office was abolished; but at a coronation, a Lord High Constable is appointed to take part in the ceremony. The great Duke of Wellington officiated at the coronation of William IV. and Queen Victoria.

Lord High Constable of Scotland.—This office was instituted by David I. about 1147. In the absence of the king, the constable had the command of the armies in the field. In 1321, the dignity was made hereditary in the family of Gilbert Hay, Earl of Erroll, and with his descendants it still remains.

Constable of France, a military commander of the highest rank, the practical head of the army, judge in all matters of honour, and regulator of martial display. The office was suppressed by Louis XIV. in 1676. The Emperor Napoleon revived it for purposes of state, conferring the office on his brother Louis; but it was suppressed at the Restoration.

Constable of a Castle, the governor of a castle belonging to the king, or to a powerful noble. The office was frequently hereditary.

CONSTANCE, COUNCIL OF, *kon'stans*, a great ecclesiastical council held at the city of that name in the grand duchy of Baden, Germany, between 1418 and 1419. It was summoned at the request of the emperor Sigismund to put an end to the great schism in the Church arising from the contest between John XXIII., Gregory XII., and Benedict XIII., for the papal chair; and also to prevent the spread of the doctrines of John Wycliffe. There were assembled, besides the emperor and Pope John XXIII., twenty-six princes, one hundred and forty counts, twenty cardinals, seven patriarchs, twenty archbishops, ninety-one bishops, six hundred prelates and doctors, and about 4,000 priests. This council deposed the three rival Popes, and elected Martin V. as head of the Church, and tried and condemned to the stake John Hus and Jerome of Prague.

CONSTANTINOPLITAN HISTORY. (See *BYZANTINE HISTORY*.)

CONSTITUENT ASSEMBLY, in French History. (See *ASSEMBLY NATIONAL*.)

CONSTITUTION, *kon-si-ti-shun* (Lat., *constitutio*, from *con* and *statuo*, I set, fix, or appoint), in a general sense, is an ordinance, regulation, or law, made by authority of a superior, either civil or ecclesiastical. The decrees and decisions of the Roman emperors were called constitutions, and in the Roman church this name is given to a decree of the Pope in matters of doctrine. Constitution, in a political sense, is the established form of government in any kingdom, state, or community, whether that be a body of written laws or be founded on prescriptive usage. In England, the constitution is made up of the whole body of public law, customary (or unwritten), as well as statutory, which has been in progress for many centuries, and is still undergoing change or modification. Whether the power of a sovereign over his people is limited in any particular by law or usage, such a state may be said to have a constitution. Constitutions have by political writers been divided into three kinds — (1) those established by the sovereign power; (2) those springing out of rights enjoyed by the people, or certain classes of them, and which form conditions in the contract between the sovereign and the people; and (3) those founded on compact between different sovereign powers. The first class may again be divided into those established by a free sovereign people for their own regulation, and those that are granted by monarchs to their subjects. In regard to political principles, constitutions are — (1) democratic where the sovereign power is vested in the body of the people, (2) aristocratic, when the government is chiefly or entirely in the hands of certain privileged classes; (3) monarchical when in the hands of one person; and (4) of a mixed character, as in Britain, where the sovereign power is distributed over the king, lords, and commons. Constitution always implies a sovereign power, whether that be vested in one or many in one supreme ruler, or in all the male population above a certain age.

Constitutions and Canons. (See CANONS OF THE CHURCH OF ENGLAND.)

Constitutions, Apostolical. (See APOSTOLICAL CONSTITUTIONS.)

Constitutions of Clarendon. (See CLARENDON, THE CONSTITUTIONS OF.)

CONSTITUTIONISTS, the name given to the supporters of the Constitution, or "Bill of Rights," passed in 1713, by Pope Clement XI, which gave a triumph to the Jesuits over the Jansenists (see Jansenism), by condemning as heretical certain propositions selected from Pasquier Quesnel's "Réflexions on the New Testament." (See Jansenism.)

CONSUBSTANTIATION, or **IMPA-NATION**, *kon-sub-stan-tye-ah-shun*, *kon-pa-nah-shun*, is employed to designate the doctrine of the Lutheran church regarding the presence of Christ in the Eucharist, as opposed to transubstantiation, the doctrine of the Roman church. While the Romanists hold that the bread and wine of the Sacrament are changed into the body and blood of our Lord, Luther and his followers attempted to solve the mystery by maintaining that, through the consecration of the elements, the real body and blood of our Lord became united therewith, and were thus present to the recipients. This doctrine was first introduced into the Church about the end of the 15th century, by John, surname of the German, a doctor of Paris, and is still held by Lutherans.

CONSUL, *kon-sul*, the title given to the two highest ordinary magistrates of the Roman republic. They were first appointed after the expulsion of the Tarquins, 509 B. C., and for about two centuries were entitled *prottores* (leaders of the army). The consuls carried ivory scepters, in public assemblies sat on "curule" chairs or thrones, and exercised all the functions of royalty. In the last years of the republic their authority culminated, and although the title was retained under the empire, the office was only an honorary appointment. The title was revived in France in 1794, when three consuls, Bonaparte, Cambacérès, and Lebrun were appointed, the latter two being little more than nonentities.

CONSUL, a public officer appointed by a government to reside in some foreign country, in order to facilitate and protect the commercial relations between his own country and that to which he has been sent. This class of officers seems to have been created by the Franks about the 10th century. Taking advantage of the crusades, they procured permission from certain Asiatic princes to send persons into their territories as protectors of their merchants going to those parts. Their example was gradually followed by other European nations, and by the 16th century the system was generally established over Europe. The right of sending consuls to foreign countries depends either upon custom or express treaty; and hence their powers differ widely in different states. In general, the duty of a consul is to watch over the commercial interests of the state whose servant he is, to see that the conditions of commercial treaties are properly observed, to give his best advice and assistance to her trading and other subjects, to prevent their infringement of the laws, to reconcile their differences, uphold their interests; and generally to render the condition of the subjects of the country employing him within the limits of his consularship as comfortable, and their transactions as profitable and secure as possible. A British consul is expected to be master of the language of the country in which he resides, and to have a knowledge of its laws and regulations, particularly such as relate to trade; to procure and send home statistical returns connected with commerce, and the prices of produce and provisions, and to report any infectious disorders that may be within his district. Consuls are sometimes natives of the countries in which they reside, but more frequently of the countries which they represent. All British consuls holding a royal commission are subjects of Great Britain, but many of the vice-consuls are not so. The emoluments of British consuls were formerly derived chiefly from fees, which depended upon the tonnage, number, value of cargoes, &c., of the British vessels entering and leaving the limits of their consularship; but now their fees are very inconsiderable, arising from notarial acts, certificates, &c., and, in addition, they have in many cases fixed salaries from the crown. In some cases they are allowed to engage in trade, in others they are interdicted from it. There are English consuls or vice-consuls at all the chief ports with which the nation has commercial relations. In some countries, where there is no superior diplomatic agent, a consul general is appointed, who is, sometimes, accredited as a political agent, with the rank of *chargé d'affaires*, and is resident at the seat of government. By a legal fiction the consulate at any place is the

territory of the country from which the consul is sent, and consequently acts done within it, are done in England. Marriage of British subjects recorded in the consul's books is therefore valid.

CONSUMPTION, *kon-sump-shun* (Lat., *consumptio*), in Political Economy, is employed as opposed to production. It does not mean the consumption or annihilation of matter, that being as impossible as its creation, but the consumption or annihilation of the qualities which render commodities useful and desirable. To consume the products of art or industry, is to deprive them of the utility, and, consequently, of the value communicated to them by labour. In every healthy condition of society there is always a natural relationship maintained between production and consumption. The greater the consumption, the greater the stimulus given to production. There will always be an excess of production over consumption wherever the course of industry is not impeded by bad laws. Political economists distinguish between *productive* and *unproductive* consumption. Commodities are consumed productively when the advantage or benefit, whether material or otherwise, accruing in consequence to their possessors, exceeds their value; and they are consumed unproductively when such advantage or benefit is less than their value.

CONTEMPT, *kon-tempt*, offence against the ecclesiastical supremacy of the crown by assuming local ecclesiastical titles under the authority of the court of Rome. Also against the Sovereign's title. (See *REMEMUNIRE*.)

Contempt of Court.—Offences against the dignity of a Court of Law, by resisting its process, obstructing its proceedings, or insulting a judge. The court has summary power to inflict punishment.

Contempt of Parliament. (See *PARLIAMENT*.)

Legislation on the Subject.—Contagious Diseases Acts for naval and military stations, intended to check the spread of venereal diseases, were passed in 1866, 1869, and 1871. These measures have encountered a vigorous opposition from a large section of the public. Acts for preventing the spread of contagious diseases among animals were passed in 1866, 1867, 1869, and 1873.

CONTINENTAL SYSTEM, *kon-te-nen-tul*, was a plan devised by Napoleon to exclude Britain from all intercourse with the Continent of Europe, in order to compel her to acknowledge the maritime law established at the peace of Utrecht. This system began with the famous decree of Berlin. (See *BERLIN, DECREE OF*.) A second decree of 11th November, 1807, was still more severe against neutral commerce. By this, all harbours and places of France, and her allies in Europe and the colonies, as likewise every country with which Britain was at war, and from which the British flag was excluded, were subject to the same restrictions as if they were closely blockaded: all commerce in the manufactures and productions of such countries was prohibited, and vessels engaged in such commerce were to be confiscated; as also all those vessels whose certificates showed that they were built in the enemy's country. Another order in council declared the sale of vessels to neutrals by the enemy unlawful, and the intended transfer of property void. These orders were followed by reprisals on the French side. By a decree of Milan, of 17th December, 1807, strengthened by a decree of the Tuileries of 11th January, 1808, every vessel, of whatever flag, which had been searched by a British vessel, and consented to be sent to Britain, or had paid any duty whatever

to Britain, was to be declared *denationalized*, and to have become British property, and as such a good prize. In order more effectually to annihilate British commerce, the tariff of Trianon respecting colonial goods was proclaimed 3rd August, 1810, which was extended by a decree of 12th September, and on the 18th October was followed by the decree of Fontainebleau, which directed the burning of all British goods. These decrees were to be carried out, with more or fewer modifications, in all countries connected with France. The consequence was, that the price of colonial and foreign goods rose enormously on the Continent; a regular smuggling trade was carried on at different points; numerous substitutes for colonial goods, particularly coffee and sugar, were invented; and a variety of manufactures grew up on the Continent which were the germs of very extensive and flourishing branches of industry. On the breaking up of Napoleon's power, the so-called continental system fell to the ground.

CONTINGENT, *kon-tin-jent* (Lat., *con*, and *tango*, I touch), the name given to the quota of troops to be furnished by each member of a number of states composing a confederation.

Contingent Legacy. (See *LEGACY*.)

Contingent Remainder. (See *REMAINDER*.)

Contingent Use. (See *USE*.)

CONTRABAND, *kon-tra-band* (Ital., *contrabando*; Lat., *contra*, against, and *bannum*, proclamation), a term applied to all goods or wares exported from or imported into, any country against the laws of said country.

CONTRABAND OF WAR, is a designation applied to certain commodities useful in war, which, by the law of nations, neutrals are prohibited from carrying to belligerent states. There is great difference of opinion among authorities as to what are and what are not contraband of war, and the usage among nations has been equally fluctuating. Of the same nature with contraband goods is the carrying of military persons or dispatches in the service of the enemy. The dispatches of an ambassador or other public minister of the enemy resident in a neutral country are excepted. In general, where the ship and cargo do not belong to the same person, the contraband articles only are confiscated, and the carrier-master is refused his freight to which he is entitled upon innocent articles which are condemned as enemy's property. Under the fraudulent circumstances of false papers and false destination, the ship as well as the cargo is liable to confiscation. Where the ship and the contraband articles belong to the same person, they are involved in the same penalty.

CONTRACT, *kon-trakt* (Lat., *con*, *traho*, I draw).—The subject of contracts is partly treated under the head of *AGREEMENT*. In addition to what is there stated, it may be remarked that contracts are *express* or *implied*, the terms of the former being openly uttered and avowed at the time of the making; the latter rest on a mere construction of law, and in general it will be implied that a man actually promises to fulfil that which he ought to fulfil. A person drunk, to the extent of complete intoxication, so as to be no longer under the guidance of reason, is absolutely incapable, while that condition lasts, of entering into a valid contract. The performance of a contract cannot be enforced if the contract be

founded upon an immoral or illegal consideration, or be obtained by fraud, or, if good at the time of making it, the performance becomes illegal by a subsequent alteration of the law, or if the promisee on his part has failed to perform the consideration. But, on the other hand, no excuse is in general afforded by the circumstance that what a man absolutely engaged to do has since become impossible, for it was his own fault to make an unconditional contract. Yet, if the performance be hindered by the opposite party, the case, of course, is different, and the party making the engagement excused. (See BAILMENT and DEED.)

CONTRADICTORY PROPOSITIONS, *kon-tra-dik'tor-e* (Lat., *contradictio*), in Logic, are the opposites of each other, the one being a mere and naked denial of the other. To be truly contradictory, they must have the same terms, and differ both in quantity and quality—the one denying and the other affirming the same thing of the same subject considered in the same circumstances.

CONTRARY PROPOSITIONS, *kon'tra-ry* (Lat., *contrarius*), in Logic, are universal propositions, one of which affirms and the other denies the same predicate of the same subject. They differ in quality, but not in quantity, and, therefore, are distinguished from contradictory propositions, which differ both in quantity and quality.

CONTROL, BOARD OF, a board or council, established in 1781, for the purpose of aiding and controlling the executive government of India, and superintending the territorial concerns of the East India Company. The Board was remodelled in 1793. The President was a Cabinet minister. It was abolished in 1858, when the government of India was transferred to the Crown.

CONTROLLER, OR COMPTROLLER, *kon'troul'er* (Norm.), is an officer appointed to control, over-see, or verify public accounts; as the comptroller of the royal household, whose duty it is to examine and check the expenses of the household. He is usually a member of the privy council, and a political adherent of the Government in power. The comptroller-general of the exchequer has the control and record of the receipts and payments of the public revenue of the United Kingdom, and the preparation and issue of exchequer bills. He is incapacitated from holding any other office under the crown, is appointed by letters patent, and holds his office during good behaviour.

CONVALESCENT HOSPITALS. (See HOSPITALS.)

CONVENT, *kon'vent* (Lat., *conventus*, from *con* and *venio*, I come), is applied to a community of religious persons, whether monks or nuns, and to the abbey, monastery, or nunnery in which they reside. In modern times, the word is limited to the residences of communities of nuns. (See MONASTERY, NUNS.)

CONVENTICLE, *kon-vent'-e-kl*, denotes, properly, a cabal, or secret assembly, of a part of the monks of a convent to form a party in the election of an abbot. It is said by some to have been first applied in England to the schools of Wickliffe, and has since been used by way of re-

proach for those religious assemblies which dissent from the established church.

Conventicle Acts.—In 1664, what is called the Conventicle Act was passed, decreeing that if any person or persons above sixteen years of age were present at any meeting for worship different from the Church of England, where there should be five persons more than the household, they should, for the first offence, suffer three months' imprisonment, or pay £5; for the second the punishment was to be doubled; and for the third they were to be banished to America, or pay £100; and if they returned, to suffer death. (This act having expired, another was passed in 1669, according to which a fine of 5s. was to be inflicted for the first offence, and 10s. for the second; and any one preaching, or suffering a religious meeting to be held in his house, incurred a penalty of £20. By William and Mary, c. 18, Protestant dissenters were freed from these penalties; but it was not till 1828 that the Conventicle Act was repealed by 53 Geo. III. c. 112.

CONVENTION, *kon-ven'-shun* (Lat.), denotes, properly, the act of coming together, a meeting or assembly of several individuals. It is more particularly applied to a formal meeting, or an assembly of delegates or representatives for the transaction of important business, civil or ecclesiastical. In English history, it is the name given to an extraordinary assembly of parliament, or of the states of the realm, held without the king's writ. Of this kind was the parliament which restored Charles II., and that which conferred the crown upon William, Prince of Orange. In the latter case, William, on the abdication of James II., invited the lords spiritual and temporal, to the number of about ninety, all who had sat in parliament under Charles II., and the mayor, aldermen, and fifty common councilmen of the city of London, to meet and deliberate upon the state of the country. They recommended him to summon a convention of the states of the realm; and accordingly circular letters were dispatched to the several counties, cities, boroughs, and universities, for the election of members. The convention met on the 22d June, 1689, and, after long debate, passed the Act of Settlement, which declared the throne vacant, and conferred the crown, with its prerogatives more exactly limited and defined than formerly, on William and his Princess jointly. A similar convention met at Edinburgh in March, 1689, and, after declaring that James had forfeited all title to the throne, made a tender of their allegiance to the Prince and Princess of Orange. In French history, the term is applied to that assembly which met after the Legislative Assembly had pronounced the suspension of the royal functions in September, 1792, and proclaimed the republic. This body dissolved itself on the establishment of the Directory, in October, 1795.

Convention of Royal Burghs. (See BURGH, ROYAL.)

Convention, National. (See NATIONAL CONVENTION.)

CONVERSION, *kon-ver'-shun* (Lat., *conversio*), in Logic, is the forming of one proposition from another, by interchanging the subject and predicate thus: the converse proposition of "Every A is B," is, "Every B is A." There are three kinds of conversion—simple, limited, and by contra-position. In simple conversion, both quantity and quality are retained, as in the example just given. Universal negative and particular affirmative propositions may be simply converted. It requires, however, that the extremes be of equal extent—that is, either both distributed or neither distributed; as "Every equilateral triangle is equiangular;" "Some

poor persons are liberal." In limited conversion the quantity of universal affirmatives and universal negatives is changed; as, "All oaks are trees." "Some trees are oaks;" "Nothing that is morally right can be politically wrong;" "Nothing politically wrong can be morally right." Conversion by juxtaposition is applicable to universal affirmatives and particular negatives, and consists in the combining with each of the transposed extremes the phrase *not*; as, "Whosoever is of God ~~is~~ with righteousness," "Whosoever doeth ~~not~~ righteousness is not of God."

In Law, Conversion is where a man has found, or becomes possessed of another's goods, and refuses to deliver them on demand, in which case he is said to have converted them to his own use. An action of *trover* will lie to recover the goods, or the value thereof.

In Theology, the result of a conviction of sin, and acceptance of the Gospel covenant.

* **CONVERT**, *kon'-vert* (Lat.), is one who changes his religion, and is specially applied to such as abandon any other faith and adopt that of Christianity. It is opposed to "apostate" applied to one who has forsaken the Christian religion for some other. Protestants who have gone over to the Church of Rome are spoken of by the latter as converts, but by their old associates as "perverts."

CONVEYANCE, *kon val'-any* (Lat., *con*, and *vo*, I carry), a writing, sealed and delivered whereby the property in lands and tenements is conveyed from one person to another. Where the property in goods or in a term of years, or other estate less than freehold, is passed by deed, the instrument of transfer is called an assignment. (See **ASSIGNMENT**.) Very important alterations in the law were made by the Conveyancing and Law of Property Act, 1881.

Conveyancer, a person who prepares the necessary documents for the transference of property. Some seditors employ themselves almost exclusively in this department of legal business, which requires special technical knowledge. There is also a class of practitioners, members of the Inns of Court, though not called to the bar, who are styled conveyancers and take out an annual certificate.

Conveyancing.—There have been various methods adopted at different periods, and by different nations, of transferring land or property in a legal manner. In primitive times the delivery of a piece of earth or stone, or the small branch of a tree, or other appropriate symbols of the property or right conveyed, in the presence of witnesses, was sufficient. In the book of Ruth we read that "in former times," if a man took off his shoe and gave it to his neighbour, that act was a "testimony in Israel." At a later period of Jewish history the record of a transfer was formally written and sealed and preserved in a book. The Romans had public registers in which conveyances were recorded. The Anglo-Saxons delivered a turf as the symbol of the transfer of land but written documents were also used. The introduction of the feudal system, which involved the consideration of so many privileges and safeguards, complicated the form of transfer, and is the foundation of the present method.

CONVICT, *kon'-vikt* (Lat.), denotes strictly one convicted of a criminal charge, particularly of a serious nature; but in a special sense, the term is usually limited to such as have been sentenced to transportation or penal servitude. (See **PENAL SERVITUDE**, **TRANSPORTATION**.)

CONVICTION, *kon-vik'-shen* (Lat.), is a record of the summary proceedings upon any penal statute before one or more justices of the peace, or other persons duly authorized in a case where the offender has been convicted and sentenced.

* **CONVOCAION**, *kon-vo-kai'-shun* (Lat., *con*, and *vo*, I call), an assembly of the clergy of the Church of England, by their representatives, for the purpose of consulting on ecclesiastical matters. (See **CHURCH OF ENGLAND**.)

CONVOY, *kon'-roi* (Fr., *convoi*), a train of waggons laden with provisions, accompanied by a detachment of troops to guard them from falling into the hands of the enemy. In the Navy, the name is given to some of her Majesty's ships that sail with a fleet of merchant-vessels in time of war, to protect them from the enemy's cruisers in their transit from one port to another. If any of the ships thus protected get captured, through neglect on the part of the master to obey signals, or from parting company with the convoy, the policy of insurance effected on the vessel and cargo before starting becomes void.

CONVULSIONARIES, *kon-vul'-shun-er-eez*, the name given to a fanatical sect of Jansenists, who made their appearance in Paris about 1730. They used to assemble at the grave of a celebrated Jansenist named Francis of Paris, in the church-yard of St Medardus, and there work themselves up into the greatest agitations or convulsions, preaching, prophesying, and professing to receive wonderful revelations. They threw themselves into the most violent contortions of body, rolled about on the ground, imitated birds and beasts, and when they had completely exhausted themselves, went off in a swoon. It was enthusiastically asserted that miracles were performed at the tomb. In 1732, the king cancelled the church-yard to be walled in and a watch set over it, and, the following year, he issued orders for them to be imprisoned; but even these steps did not entirely put a stop to their fanaticism.

COOLIES, OR COULIES, *ko'-lees*, was originally the name of one of the most fierce and barbarous of the aboriginal tribes of Hindostan, which abounds chiefly in the province of Gujarat. From the circumstance of many of these being afterwards employed as labourers and porters in Bombay and other parts of India, the name came to be applied by Europeans to that class of persons generally in India. It is now also applied to emigrant labourers from India and China to America, the West Indies, Australia, and other parts. Many evils have attended the system of coolie emigration, and, in fact, kidnapping has been extensively carried on under that name. In 1868, the Polynesian Labourers Act was passed to protect coolie labourers in British possessions.

COPARCENARY, *ko-par'-se-na-re* (Norm.), an estate where lands of inheritance descend from the ancestor to two or more persons. It arises either by common law or by particular custom. By common law, as where a person seized in fee simple or in fee tail dies, and his next heirs are two or more females, his daughters, sisters, aunts, cousins, or their representatives. In this case they shall all inherit; and these co-heirs are then called coparceners, or, for brevity, parceners. Parceners by particular custom are where lands descend, as in gavelkind, to all the males in equal degree, as sons, brothers, uncles, &c.

CO-PARTNERY. (See **PARTNERSHIP**.)

COPTS, *kopts*, the name given to the Christian descendants of the ancient Egyptians. The

name is generally believed to be derived from the city of Coptos, in Upper Egypt, to which, during the persecutions that took place under the Roman emperors, many of the Christians had fled for refuge. The Copts are called 'Uhtee or 'Uht, according as the singular or plural is meant, in Cairo, but Gubtoe or Gabt in Upper Egypt—a name which they themselves consider to be a part of the Greek word *Aegyptus*. The number of Copts in the country at present is not more than 150,000, or about a fourteenth part of the entire population, and about 10,000 of them live in Cairo. They are not of large stature, have black eyes, rather curly hair, and in several other respects resemble the ancient Egyptians, from whom they have inherited also the custom of circumcision. They have always been distinguished for expertness in figures, in consequence of which many of them fill important posts throughout the country, and have acquired great influence.

COPTIC CHURCH.—The monophysite, or Jacobite Church (so named by its opponents from Jacobus Baradaeus, a Syrian who propagated the Coptic doctrines) of the Coptic Christians of Egypt. Their heresies were publicly condemned by the Council of Chalcedon in the year 451 A.D.; and for two hundred years afterwards they suffered continual persecutions at the hand of the Orthodox Church. They were placed in possession of the Egyptian Churches on the corruption of the Saracens in the seventh century, and their numbers are now probably about one hundred thousand. At the head of the clergy is the patriarch of Alexandria, who claims to be a successor in unbroken line of St. Mark. The patriarch is always chosen from among the monks of the Convent of St. Anthony, in the eastern desert, near the Red Sea. When the patriarchate is vacant the superior of the convent nominates a dozen or so monks whom he considers fitted for the office. Their names are then written on separate pieces of paper and placed in a drawer. To ensure fair play the lot is drawn by a child. There are 12 bishops. In the present day perhaps the Protestant community in Cairo is looked upon with least favour by the Coptic clergy. Protestants are spoken of derisively as a "prayerless people;" and their indifference to fasts moves the indignation of a Church which lays particular stress on the efficacy of a severe and frequent mortification of the flesh. The Coptic Lent, or the Great Fast, as it is called in Cairo, is observed for fifty-five days; and it is preceded by a fast, which has nothing corresponding to it in other Christian Churches, held in commemoration of that of Nineveh. This lasts three days, and for this period the strictest of the Copts allow no food of any kind to pass their lips. During Lent only a vegetable diet is permitted; but, during the twenty-eight days of the Fast of the Nativity preceding Christmas, the shorter Fast of the Apostles succeeding the Ascension, which commemorates the period when the Apostles fasted after they lost their Lord, and the fifteen days of the Fast of the Virgin, it is customary to eat fish as well as eggs, milk, butter, and vegetables. The interior of a Coptic church is divided by wooden screens into several compartments, appropriated respectively to the chancel or *hagios* (corresponding to the *iconostasis* in a Greek Church), to the priests who read the lessons, the general members of the congregation, and the women. The women are completely concealed from the men

by a screen of lattice-work; but there are Coptic churches in most quarters entirely appropriated to women, and to these they ordinarily resort. The Copts observe the same sacraments as the Greek and Roman Catholic Churches, and, until lately circumcised their sons at the age of seven or eight years in both Lower and Upper Egypt. In the metropolis, however, the rite was never popular; and the present Patriarch is doing his best to put an end to the custom in the rural districts. There are many Coptic monasteries and a few nunneries in Cairo. The Convent of St. Theodore, in the quarter called the Hart-er-Room, once enjoyed a considerable celebrity from the cures reported to be wrought by the nuns on demoniacs and epileptics. Every Wednesday the sisters cast *shaitans*, or devils, out of Cairo women of the lowest class, who came in great numbers to be exorcised till Khedive Ismail put a stop to the scandal in 1873. The *dayras*, or convents, in what is called "Old Cairo"—the Arabian town of Fostat which Amer built—were originally a kind of fortresses, and, besides one or two churches, often contained a complete village within their walls.

COPPERHEADS, a nickname given in the course of the civil war in the United States (1861-5) to those members of the Democratic party who were in favour of peace with the South on any terms. The dumb rattlesnake, red viper, and other poisonous snakes, are commonly known as copperheads.

COPULA, *kop'-u-la* (Lat., a band), is the name given in Logic to the word or words which connect the predicate and the subject of a proposition, which indicate that the predicate is affirmed or denied of the subject. Sometimes the copula is contained in the predicate—as, The fire burns; but in strict logic *is* and *is not*, or some other part of the verb *to be*, are the only copulas permitted; as, The fire is burning; John is not at home.

COPYHOLD, *kop'-e-hold*, is a tenure for which the tenant has nothing to show but the *copy* of the rolls, made by the steward of the lord's court, on such tenant being admitted to any lands or tenements within a manor that time out of mind, by use and custom of the manor, have been granted or demised to such as are entitled to take the same in fee or fee-tail, for life, years, or at will, according to the custom of the manor by *copy of court roll* of the manor. The payments due to the lord of the manor are rents or annual payments; fines, payments on particular occasions, such as alienation or succession; and *heriots*, or the best piece of personal property to which, on the death of the copyholder, the lord becomes entitled. As a result of the copyhold commissioners, all services due to the lord may be commuted for a fixed rent, and either the lord or the tenant may now compel enfranchisement on payment either of a fixed sum or of an annual rent. The Copyhold Acts were amended by 21 and 22 Vict. c. 94 (1858).

COPYRIGHT, *kop'-e-right*, is that right which the law allows an author or his assigns of printing and reprinting his own original work. In the reign of Queen Anne this right became the subject of positive regulation, and subsequent enactments were applied to it. It is now mainly regulated by the 5 and 6 Vic. c. 45, which provides that the copyright of every book (under which word is included, in the construction of

the Act, every volume, part, or division of a volume, pamphlet, sheet of letterpress, sheet of music, map, chart, or plan separately published) which shall be published in the lifetime of its author, shall endure for his natural life, and for seven years longer; or, if the seven years shall expire before the end of forty-two years from the first publication, shall endure for such period of forty-two years; and that, when the work is posthumous, the copyright shall endure for forty-two years from the first publication, and shall belong to the proprietor of the author's manuscript. If the work be unlawfully printed within the British dominions, an action for damages must be brought within twelve calendar months; and, if unlawfully reprinted in any place out of the British dominions and imported into the United Kingdom, it may be seized as forfeited by any officer of the Customs or Excise, and the offenders are liable to penalties. Registration at Stationers' Hall is no longer obligatory; but it is requisite as an evidence of copyright in case of a dispute. The Act empowers the Judicial Committee of the Privy Council to license, under certain conditions, the publication of books of importance which the proprietor refuses to publish after the death of the author. Besides the remedy by action, the Chancery division of the High Court of Justice will interfere by injunction to restrain an infringement of the right. Protection does not extend to the work if it be immoral, blasphemous, or seditious in its tendency, or if it be defamatory of private character, or if (with a view to defraud the public) it is published as the work of one who is not in truth the author. Extracts from a book cannot strictly be made without permission from the owner of a copyright; but practically this permission is assumed, and such quotations are ordinarily valuable as introducing the book to the notice of the public. Unauthorized abridgments, in which the language of the author is retained, are piracies, and the sale may be stopped; but there is no copyright in subject, information, or ideas, if they are conveyed in different language. Articles contributed to periodical works, as reviews and magazines, or to encyclopædias, are copyright. Newspaper matter is also legally copyright; but the claim is never enforced, so far as articles of general news are concerned, the borrowing of such matter being a mutual convenience. The unauthorized adoption of an existing title of a newspaper or a magazine is an infringement of copyright that is always promptly stopped. Sermons delivered by clergymen of the Church of England in endowed places of worship may be taken down and published without the consent of the preacher, because in the 5th section of the Act protection is not extended to lectures delivered in any public foundation, or delivered by any individual in virtue of, or according to, any gift, endowment, or foundation, and endowed places of worship are considered to be public property. Sermons delivered in the chapels of Non-conformists, or addresses or lectures in other places than endowed churches, are the property of the person delivering them. Letters and every kind of epistolary correspondence are the property of the writer, and must not be published or sold by the receiver. Dramatic pieces and musical compositions, with right of representation and performance, are subject to the same copyright as books. A work of fiction may be dramatized without the consent of the author, who has no power to prohibit the performance. The pro-

prietor of the copyright of a song, or a musical composition, is entitled to forbid its being sung or played without his permission; and verses must not be taken and set to music for sale without permission.

Engravings and Pictures.—The term of copyright in these productions (secured by the 17 (Geo. III. and other statutes) is twenty-eight years from the date of publication, which, with the name of the publisher, must appear on engravings. An infringement of the copyright (and that extends to the sale of reproductions by photography) involves the forfeiture of every copy, with a fine of five shillings for each. There is no copyright in subject, and pictures suggested by incidents in copyright books may be sold. The copyright of a portrait remains with the artist, although he may have been paid for painting it. Copyright of photographs is also secured.

Designs.—Designs for ornamenting articles of manufacture are protected by several Acts, passed in the present reign. The copyright is for three years from the time when the design was registered. (See *DESIGNS*.)

In the Colonies.—The copyright of books, &c., printed in the United Kingdom, is extended to all British colonies. By an Act passed by the Legislature of the Dominion of Canada, and confirmed by the Imperial Parliament in 1875, if there is copyright in the United Kingdom in a book, the author becomes entitled to copyright also in Canada, and none but the owner can import into the United Kingdom any copies reprinted in Canada. Canadian authors have a copyright for twenty-eight years, and if he or his wife or child is living at the end of that term, then for fourteen years longer. The English copyright law extends to India; but actions for piracy are barred after twelve months.

In Foreign Countries.—In France the copyright exists for the lifetime of the author or his widow, and after the death of the survivor for twenty years in children or ten years for his heirs or assignees. The law in Holland and Belgium is similar, except that, either in the case of children or other heirs or assignees, the term of twenty years is allowed. In Germany, copyright extends to the lifetime of the author, and thirty years after his death. In Denmark, copyright exists for thirty years, but lapses if the work on which it exists be out of print during five years. In Sweden, the term for copyright is twenty years; but should the author or his representative neglect to continue the publication, the copyright falls to the State. In Spain, copyright is for the author's life, and for fifty years after his death. In Russia, it is for the author's life, and after his death to his heirs and assignees for twenty-five years, and for a further term of ten years, if they publish an edition within five years before the expiration of the first term. In Greece, copyright exists for fifteen years, from the date of publication. In the United States, the copyright exists for twenty-eight years, from the time of recording the title, and fourteen years more if the author, or his widow or child be living, provided that the title be recorded anew within six months before the expiration of the twenty-eight years.

International Copyright.—Great Britain has made arrangements with Austria, Belgium, France, Prussia, Saxony, Hamburg, and Italy, by which there is mutual protection for copyrights, translations included. Great efforts have been made, but unsuccessfully, to procure a similar arrangement with the United States.

CORBAN, *kor'-ban*, a name given by the ancient Hebrews to an offering to God, particularly a fulfilment of a vow. In later times, the rabbins taught that a man might interdict himself by vow, not only from using himself, but from giving to another, or receiving from him, some particular object, whether food or anything else; and the thing thus interdicted was called a *corban*. It is referred to in Mark vii. 11.

CORDELIERS, *kor'-de-lee-ers*, was the name given to the strictest branch of the Franciscan friars, on account of their wearing a knotted cord for a girdle. They were originally called minor

frairs, and were established towards the end of the 14th century. There are said to have been at one time in France no fewer than 284 male and 123 female convents of Cordeliers.

Cordeliers of the Revolution.—During the French revolution of 1789, a political society assumed this title from the circumstance of its meetings being held in an old Franciscan convent. It was opposed to the Jacobins and was of great influence, having among its members Danton, Camille Desmoulins, Hebert, Marat, and others. Desmoulins issued a journal which became extremely popular, *Le Vieux Cordelier*.

CORINTHIANS, EPISTLES TO THE.

Kor-ni-thi-ans, are two epistles of the apostle Paul addressed to the church at Corinth, and forming part of the canonical writings of the New Testament. Christianity was first planted at Corinth by the apostle Paul himself during a residence there of about eighteen months, between A.D. 51 and 53. After Paul's departure from Corinth, Apollos, an eloquent man, came and preached the gospel there with great success—watering what the apostle had planted. Other teachers of Christianity also came among them, and the Church came to be divided into different sects—some declaring for Paul, others for Apollos, some for Cephas, and some for Christ. The converts, too, were partly Jews and partly Gentiles; the former contending strenuously for the observance of Jewish ceremonies, the latter giving way to the idolatrous and lascivious practices of the heathens. When the Apostle Paul received information of this state of matters, he wrote to them his First Epistle, the contents of which naturally divide themselves into two distinct parts—the one being intended to remedy the disorders and abuses that had crept into the Church, the other being in reply to certain questions which the Church had submitted to him for his decision; as, concerning matrimony, concerning the lawfulness of eating things sacrificed to idols, and touching the resurrection of the dead. This epistle produced very different effects in the Church. Many were led to amend their conduct, and to greater vigilance and zeal against the errors into which they had fallen; while others were led to cast imputations upon the apostle, and to accuse him of levity, pride, arrogance, and of being personally contemptible. The great object of the Second Epistle was, therefore, to defend himself against these imputations. The former of these epistles is generally believed to have been written about A.D. 57, the latter about 58. The authenticity of either has scarcely even been questioned; but much discussion has arisen as to whether the apostle had addressed to the church at Corinth an earlier epistle than either of these, referred to in 1 Cor. v. 9, in the words, "I have written to you in an epistle." Those who are of opinion that there was no other epistle, maintain that the reference is to the one he was then writing.

CORN LAWS AND CORN TRADE.—

From the great importance of corn as an article of food, it is scarcely to be wondered at that it was so long subject to Government interference and restrictions in this country. From the period of the Conquest down to the year 1436, the efforts of the Government were directed to prevent its exportation out of the country, while, at the same time, its importation was permitted. The object was to provide an abundant supply of this prime necessary of life at as low a rate as

possible; but as in some other instances, the means adopted to produce a certain result have often been found to have a contrary effect. Agriculture was neglected, because the farmers could not obtain a remunerative price for their produce. In 1436, with a view to stimulate home production, an act was passed authorizing the exportation of wheat whenever the home price did not exceed 6s. 8d. (12s. 10½d. of present money) per quarter, and of barley when the home price did not exceed 3s. In 1493, another act was passed prohibiting the importation of corn from abroad until the home price exceeded that at which exportation ceased. On account of the fluctuating policy of the times, however, these laws were in a great measure unoperative. Nominally, they continued in force till 1562, when the prices at which exportation might take place were extended to 10s. per quarter for wheat, 8s. for rye, and 6s. 8d. for barley. Nine years later (1571), an act was passed which declared that the lord presidents and councils and the justices of assize should, within their respective jurisdictions, consult with the inhabitants as to the cheapness and dearth of any kinds of grain, and fix annually the average prices by which exportation should be governed within their several limits. Corn might thus be exported at all times to friendly countries when proclamation was not made to the contrary, subject to a poundage or customs duty of 1s. per quarter on all wheat exported; and if exported under special license, and not under the act, the duty was 2s. per quarter. In 1594, another act was passed permitting exportation on paying a duty of 2s. per quarter on wheat and 1s. 4d. on barley and malt, whenever the price did not exceed 20s. and 12s. respectively. In 1604, the price was again raised to 20s. 8d. per quarter of wheat; and in 1623, to 32s. for wheat and 16s. for barley and malt. Besides the various acts passed for regulating the foreign trade in corn of this country, there were various enactments interfering with it within the kingdom. Under the impression that the injurious effects of dearths, which were then of frequent occurrence, were much aggravated by dealers in corn buying it up and withdrawing it from the market, and that, if corn were purchased by the consumers directly from the growers, it would be obtained cheaper, as the profits of the dealers would thus be saved, various acts were passed against the buying of corn in one market with the view of selling it again in another, called *engrossing* (which see), declaring such an offence to be punishable by fine and imprisonment. On the restoration of Charles II. a new scale was introduced. Wheat was permitted to be exported when the price did not exceed 40s. per quarter, barley and malt 20s., oats 16s.; the export duties being on wheat 20s. per quarter, barley and malt 10s., and oats 6s. 8d. By the same act the import rates or duties were fixed as follows: on wheat, when the price did not exceed 44s. per quarter at the place of importation, 40s. per quarter; when it exceeded that rate, 6s. 8d. per quarter; barley and malt, when the price did not exceed 30s. at the place of importation, 25s. 8d.; and when it exceeded that rate, 5s. per quarter. Of course, these high duties acted as a virtual prohibition of the trade. Three years later, the corn trade again became a subject of legislation. By 15 Car. II. c. 7, it was declared that when the price of wheat does not exceed 48s. per quarter at the havens or places of shipment, barley and malt 28s., and oats 13s. 4d., then it shall be lawful for any person or persons to trans-

port said corns or grains from such places to any parts beyond the seas, subject, however, to the same rate of duties as had been fixed by the previous act. It was further declared that when the prices of said corns and grains do not exceed the above-mentioned rates at the port or haven where any of them may be imported, they shall be subject to the following duties—viz., wheat 5s. 4d. per quarter, barley and malt 2s. 8d., and oats 1s. 4d. This act further declared, that when the price of corn or grain did not exceed the above rates, then it should be lawful for any person or persons to buy in open market, and to lay up and keep the same, and afterwards to sell it without incurring any penalty. In 1670, a duty of 10s. was imposed upon all wheat imported into this country when the price was at or under 53s. 4d. per quarter in this country, and 2s. when above that price and under 80s., at which last importation was free. In order to determine accurately the price of grain at the various ports wherein foreign corn might be imported, it was enacted in 1685 that justices of the peace in the several counties may, at quarter sessions, by the oath of two persons duly qualified (i.e., possessed of estates of a certain value and not being corn-dealers), determine the prices of the several kinds of grain to be certified to the principal officer of the customs in the several counties for his rule and regulation. The average price of wheat per quarter for the ten years from 1650 to 1660 was 46s. 6d.; from 1660 to 1670, 48s. 10d.; from 1670 to 1680, 50s. 8d.; and from 1680 to 1685, 44s. 3d. By an act passed shortly after the accession of the prince of Orange to the throne in 1688, a bounty of 5s. was granted for every quarter of wheat exported when the price was at or below 48s., and other kinds of grain in proportion. Subsequently, by 11 and 12 Will. III. c. 20, all previous duties on the exportation of corn were abolished, while the duties and restrictions upon the importation of corn continued unabated. In the four years ending 1691, the price of wheat averaged 27s. 7d. the quarter, being lower than at any period during the century; but in the four years preceding 1699 it reached 56s. 6d. In the fifty years ending 1765, there were only five deficient harvests, and the average price for the whole half-century ranged at 34s. 11d.; and taking the ten years ending 1751, during which the crops were constantly above the average, the price of wheat was only 29s. 23d. the quarter. After the year 1750, when the exports of all kinds of grain amounted to 1,667,778 quarters, the quantity exported rapidly decreased, and in 1760 it was only about 600,000 quarters. After the peace of Paris, in 1763, the price of wheat rapidly rose to an unusual height. In 1773, an act was passed declaring the bounty and exportation to cease until wheat should be 44s. and barley 22s. per quarter; and allowing foreign wheat to be imported on paying a nominal duty of 6d. whenever the home price reached 48s. per quarter. The object of these regulations was to maintain, as far as possible, a level rate of 48s., which was assumed to be a fair price both for grower and consumer. The landowners raised a loud clamour against this law; and at length, in 1791, they succeeded in obtaining an act raising the price at which importation was allowed at 6d. per quarter to 54s., a duty of 2s. 6d. being imposed when the price was between 50s. and 54s., and a prohibitory duty of 24s. 5d. when below 50s. In 1804, a prohibitory duty of 24s. 3d. per quarter was imposed on all wheat imported when the home price was

at or below 63s.; between 63s. and 66s. a middle duty of 2s. 6d.; and above 66s. a nominal duty of 0d. The price at which bounty was paid on exportation was changed to 40s.; but grain might be exported without bounty so long as the price did not exceed 54s. In 1813 and 1814, committees of both Houses of Parliament were appointed to examine and report on the state of the corn trade; and in 1815, after much opposition, an act was passed allowing the free importation of corn from foreign countries, in order to be warehoused or re-exported, but forbidding the importation for consumption unless the prices were, for wheat 80s., for barley 40s., and for oats 26s. From the British colonies, however, grain might be imported for consumption when the prices were, for wheat 67s., barley 33s., and oats 22s. In this year also the bounty was abolished, though since 1792 the price at home had been so high that none could have been claimed. In 1816 and 1817, the harvests were deficient, and the prices were raised above these limits, so that a large quantity of corn was imported free of duty. The year 1822 yielded an abundant harvest, and the prices fell lower than they had been at any time since 1792. In 1823, the act of 1815 was so far modified as to allow of grain being imported for home consumption when the prices were, for wheat 70s., barley 35s., oats 25s. per quarter, and from British colonies when at 58s., 30s., and 20s. respectively. In order to prevent any violent re-action from a large supply of grain being suddenly thrown upon the market, a duty of 17s. a quarter was to be laid upon all wheat imported during the first three months after the opening of the ports, and 12s. thereafter, and other kinds of grain in proportion. In 1823, the importation of wheat from the British colonies of North America was permitted, without reference to the price at home, on payment of a duty of 5s. per quarter. The following year a long continued drought caused great apprehensions as to the harvest, and to prevent the disastrous consequences that might ensue had importation been prevented until the season was too far advanced to admit of supplies being brought from the north of Europe, his majesty was authorized to admit 500,000 quarters of foreign wheat for home consumption. The crops of oats, peas, &c., being ascertained to be deficient, an order in council was issued on the 1st of September, admitting certain descriptions of grain for home consumption at an almost nominal duty until forty days after the first meeting of parliament, on the ground that "if the importation for home consumption of oats and oatmeal, and of rye, peas, and beans, be not immediately permitted, there is great cause to fear that much distress may ensue to all classes of his majesty's subjects." In 1827, Mr. Canning introduced certain resolutions into the House of Commons on this subject, the leading principles of which were, that foreign corn might be imported free of duty at all times for warehousing; and also be always admissible for home consumption on payment of certain duties, according to a graduated scale. The bill founded on these resolutions not being carried, the following year Mr. Charles Grant (afterwards Lord Glenelg) introduced a series of resolutions founded on the same principles as those of Mr. Canning; and, after a good deal of discussion, they were carried, and embodied in act 9 Geo. IV. c. 60. In terms of this act, grain could be imported for home consumption at all times on payment of duties, decreasing as the price of grain

advanced, and increasing as it fell; forming what was known as a "sliding scale." When the price of wheat was 66s. and under 67s., the duty was to be 20s. 8d., an additional 1s. of duty being imposed for every 1s. of decrease in the price under 66s.; between 67s. and 68s. the duty was 18s. 8d., increasing up to 73s., at and above which there was a uniform duty of 1s. per quarter. For barley, oats, rye, &c., there were similarly graduated scales. In 1829 and 1830, the crops being deficient, there was a large importation of corn, the average price of wheat being about 65s. per quarter. The crops from 1831 to 1835 being more than usually abundant, importation had almost wholly ceased, and in the last of these years, the price of wheat was as low as 39s. 4d. per quarter. In 1837 and the five following years, the crops were deficient; and in January, 1839, wheat was as high as 81s. per quarter. The inability of the sliding scale to maintain anything like a uniformity in the price of corn being abundantly proved, Lord John Russell, in name of the Government, proposed, in 1841, the substitution of a fixed duty of 8s. per quarter on wheat, 4s. 6d. on barley, and 3s. 4d. on oats; but the ministry going out of office soon after, the proposal fell to the ground. In 1842, Sir Robert Peel introduced and carried his measure, in which the sliding scale was still retained, but largely modified. Under 51s., the duty on wheat imported from foreign countries for home consumption was 20s., decreasing gradually as the price rose to from 66s. to 69s., when the duty was 6s., and again decreasing gradually to 1s. when the price was 73s. or upwards. The duty on colonial wheat when the price was under 57s. was 5s., and when 58s. and upwards, 1s. All efforts, however, to maintain the price of corn at an equitable rate were in vain, and in 1845 the unsatisfactory state of the corn harvest, and the failure of the potato crop in Ireland, created serious apprehensions of a famine over the country. On the 19th January, 1846, Parliament was opened by the Queen in person, and immediately thereafter Sir Robert Peel, who had for so many years been an active supporter of the corn duties, announced that he had been led to change his views on the subject and to adopt the principles of free trade. The result being the carrying of a measure, against great opposition, by which the duties on the importation of corn were abolished in February, 1849. (See ANTI-CORN LAW LEAGUE.)

CORNARISTS, *kor-nar'-ists*, the followers of one Theodore Cornhart, who lived in the latter half of the 16th century, and was secretary of the States of Holland. He was a man of great ability, but a religious enthusiast, and wrote against all sects. He maintained that no one had any warrant to be a religious reformer who could not work miracles, and that it was not necessary for salvation to be a member of any church.

COROLLARY, *kor'-o-la-ry* (Lat., *corollarium*, properly signifying a gratuity or donation to an individual over and above his due), is usually employed to designate a necessary consequence of a proposition.

In Geometry, a corollary is a consequence drawn from some proposition already demonstrated, without the aid of any other proposition.

CORONATION, *kor-o-nay'-shun*, is the act of crowning or consecrating a king. The practice is very ancient, as we read in Scriptures of the coronations of Solomon and of Josiah, the son of

Ahaziah. Generally it has been accompanied by anointing with oil, which probably originated with the Jews. In the history of England, after the kingdoms of the Heptarchy became united, the ceremony of coronation is frequently alluded to. The Saxon kings were crowned at Kingston-on-Thames, where the stone on which they sat is preserved; and the book of the Gospel on which they were sworn is believed to be among the Cottonian MSS. in the British Museum; but the first English coronation of which we have any detailed account is that of Richard I. Minute accounts of many of the coronations since that time have been preserved. The formulary generally followed in coronations since Edward III. is contained in the "Liber Regalis," preserved with great care in the archives of the dean and chapter of Westminster.

Coronation Chair.—The chair in which the sovereign is enthroned at the coronation is of carved oak, and is kept in Edward the Confessor's chapel in Westminster Abbey. Beneath it is the famous stone of Scone, on which the ancient kings of Scotland, and the still more ancient kings of Ireland sat when they were crowned, and asserted by antique ecclesiastical legend to be the very stone on which the patriarch Jacob pillowd his head when he saw the vision of the angels and the ladder. It was transferred from Ireland (where it had been kept in the cathedral of Cashel, the metropolis of the kings of Munster, and was known as the "fated stone") to Scotland at an early period, and placed in the abbey church of Scone in 850. Edward the First brought it to England in 1296, and since then it has been beneath the chair on which every sovereign of England has sat when receiving the crown.

Coronation Oath.—Is the oath administered to an English sovereign on coronation. By it he, or she, solemnly promises and swears to govern according to the statutes established by Parliament and the laws and customs of the realm; to administer law and justice in mercy; to maintain the laws of God, the true profession of the gospel, and the Protestant reformed religion established by law; and to preserve unto the bishops and clergy of the realm, and to the churches committed to their charge, all such rights and privileges as by law or shall appertain to them or any of them. The oath is administered in the form of question and answer by the Archbishop of Canterbury: after which the sovereign, kneeling before the altar, repeats the words, "The things which I have here before promised I will perform and keep, so help me God," and then kisses the book.

CORONER, *kor'-o-ner*.—The office of coroner is a very ancient one at the common law. He is called coroner (*coronator*) because he has principally to do with pleas of the crown, or such wherein the sovereign is more immediately concerned; and in this light, the lord chief justice of the Queen's Bench division is the principal coroner of the kingdom, and may, if he pleases, exercise the jurisdiction of a coroner in any part of the realm. But there are also particular coroners for every county in England, usually four, but sometimes six, and sometimes fewer; and in every borough having separate quarter sessions, a coroner is appointed, with exclusive jurisdiction within the borough. This officer is of equal antiquity with the sheriff, and was ordained with him to keep the pence when the earls gave up the wardship of the county. He is chosen by all the freeholders in the ancient county court; but the crown and certain lords of franchises, having a charter from the crown for that purpose, may appoint coroners for certain precincts or liberties by their own mere grant, and without election. He is chosen for life, but may be removed by being made sheriff, which is an office incompatible with the other,

*or by the writ *de coronatore conservando*, on account of other engagements, incapacity by years or sickness, or that he has not a sufficient estate in the county, or, lives in an inconvenient part of it, or is guilty of misbehaviour. He may appoint a deputy by writing under his hand and seal. His duties are *judicial* or *ministerial*; but his principal duty is to inquire, when any person is slain, or dies suddenly, or in prison, or under suspicious circumstances, concerning the manner of his death. He is also to inquire concerning shipwrecks, and certify whether wreck or not, and who is in possession of the goods; but his duties in this regard were practically superseded by the provisions of the Merchant Shipping Act of 1854. Concerning *treasure-trove*, he is also to inquire who were the finders, and where it is, and whether any one be suspected of having found and concealed a treasure. He is a conservator of the queen's peace, and becomes a magistrate by virtue of his appointment, having power to cause felons to be apprehended, whether an inquisition have been found against them or not. His *ministerial* office (as the sheriff's substitute) is to execute process in cases where the sheriff may be suspected of partiality, as that he is interested in the suit, or of kindred to either the plaintiff or defendant. Coroners are now generally either solicitors or medical men. They are paid by salary out of the county rate.

CORPORAL (Lat., *corpus*, a body), is the name given to the linen cloth which is spread over the consecrated bread (*corpse*, or body) after the communion. In the Russian and Greek churches it is an object of great reverence, and the folding and unfolding of it by the priest at the altar is accompanied with much ceremony. It is said to represent the wrapping of the body of our Lord in fine linen by Joseph of Arimathea. The *corporate oath* is derived from the ancient usage of touching the corporal to add solemnity to an oath.

CORPORAL PUNISHMENT. (*See Flogging.*)

CORPORATION, *kor-por-ai'-shun*, is a body politic or incorporate, so called as the persons are made into a body, and of capacity to take and grant, &c.; or it is an assembly and joining together of many into one fellowship and brotherhood, whereof one is head and chief and the rest are the body, and this head and body knit together make the corporation; also it is constituted of several members, like unto the natural body, and framed by fiction of law to endure in perpetual succession. Of corporations, some are *sole*, some *aggregate*; *sole*, when in one single person, as the queen, a bishop, dean, parson, vicar, or the like; *aggregate*, which is most usual, consisting of many persons, as mayor and commonalty, dean and chapter, &c. Likewise corporations are *spiritual* or *temporal*; *spiritual*, as bishops, deans, archdeacons, parsons, vicars, and other ecclesiastical persons; *temporal*, as mayors, commonalty, bailiffs, and burgesses, &c., of towns and boroughs; and some corporations are of a *mixed* nature, composed of spiritual and temporal persons, such as heads and fellows of colleges and hospitals, &c. *Lay* corporations are of two sorts—*civil* and *elemosynary*. The *civil* are such as are erected for a variety of temporal purposes, as the king or queen, to prevent the possibility of an interregnum or vacancy to the throne, and to preserve the pos-

sessions of the crown entire; a mayor or commonalty, bailiff, and burgesses, or the like, for the good government of a town; others for the advancement and regulation of commerce, as the trading companies of London and other towns, and public companies instituted by act of Parliament or royal charter, and others for the better carrying on of divers special purposes, as the Colleges of Physicians and Surgeons, the Royal Society, the Society of Antiquaries, &c. Among these the general corporate bodies of Cambridge and Oxford must be ranked, which are not strictly spiritual or ecclesiastical, being composed of more laymen than clergy; neither are they elemosynary foundations, though stipends are annexed to particular magistrates and professors, and these stipends are preceded by service and duty. *Elemosynary* are such as are constituted for the perpetual distribution of the free alms or bounty of the founder to such persons as he has directed or as the mode of government has been defined. Of this kind are all hospitals for the maintenance of the poor, sick, and impotent, and all colleges, both in our universities and out of them. Corporations, both sole and aggregate, may purchase, take, and hold land to them and their successors, as natural persons may hold them and their heirs; but they are subject to the provisions of the law as to devises to charitable uses and the statutes of mortmain, and must have a license from the crown to enable them to hold or alien their lands in mortmain; but aggregate corporations, when of the elemosynary, or ecclesiastical, or municipal kind, and corporations sole, are in general restrained by statute from alienation of their lands, beyond the life of the person who constitutes the corporation sole, or is the head of the corporation aggregate. Power is nevertheless given to them, in some cases to grant long building leases. Corporations aggregate may sue and be sued, and do all other acts, by their corporate name. Their corporate property only, and not the members individually, is amenable to judgments given against them. Their acts are under their common seal. There are some personal acts, however, as to which convenience has introduced an exception to this rule. Thus, a corporation may, through its head, give command to a bailiff to make a distress. It may make by-law; or private statutes, for the better government of the corporation, not contrary to the laws of the land, or contrary to or inconsistent with its charter, or manifestly unreasonable. It must appear by attorney, for it cannot in person. It cannot maintain or be made defendant to an action of battery or the like; but it may maintain an action for breach of contract, and, in some cases, may be sued in such action as defendant. It is also liable to an action for damages in respect of any tortious acts committed by its agents, and is even liable in certain cases to an indictment, as where it allows a bridge, the repair of which belongs to it by law, to fall into decay; but in general it can be guilty of no crime in its corporate capacity. It may also, under certain circumstances, be the subject of bankruptcy; as in the cases of joint-stock, banking, and other companies, founded by statute or charter for trade or profit. Aggregate corporations that have by their constitution a head, can do no acts during the vacancy of the headship, except only appointing another. There may be a corporation aggregate constituted without a head, as the collegiate church of Southwell, in Not-

tinghamshire, which consists only of prebendaries, and the governors of the Charterhouse, London, who have no president or superior. A corporation may be dissolved by the death of all its members, or of such number as leaves not enough to make new elections in the way the charter requires, by forfeiture or surrender of the charter, or by act of parliament. (See MUNICIPAL CORPORATIONS.)

Corporation of London.—The governing body of the City of London consists of a Lord Mayor, one of the aldermen elected annually to the office; 25 other aldermen, and the members of the common council. (See ALDERMEN and COMMON COUNCIL.) The chief officers of the corporation are the Recorder, Common-Sergeant, Judge of the City of London Court and Assistant Judge of the Mayor's Court, Chamberlain, Town Clerk, Remembrancer, Comptroller, and Solicitor.

CORPS D'ARMÉE, *kor-dar-mai'*, a division of the army in the great continental states, complete in itself, with everything needful for service. France has 19 corps d'armée, Germany 17, Italy 7, and Russia 12.

CORPUS, *kor'-pus* (Lat., body), a term applied to a collection or body of laws or canons, as *Corpus juris civilis*, or *Corpus juris canonici*.

CORPUS CHRISTI (Lat., body of Christ), is the name of a festival of the Church of Rome, instituted by Pope Urban, IV. in 1264, in honour of the consecrated hosts and with a view to its adoration; was confirmed by the Council of Vienna, in 1311. It is observed on the Thursday after Trinity Sunday, and is kept as one of the greatest festivals of the Roman Catholic church. In France it is known as the *Pte Dieu*.

CORRECTION, HOUSE OF. (See PRISONS.)

CORREGIDOR, *kor-rei'-i-dor*, the governor and chief magistrate of a Spanish town, appointed by the king. In Portugal, the corregidor has less extensive powers.

CORRESPONDING SOCIETY, a political society formed in London, in 1791, when the nation was much excited by the French Revolution, to spread liberal opinions and check the severity of the British Government. The meetings were denounced as treasonable, and in October, 1794, Horne Tooke and other members were tried for treason and acquitted. In April, 1793, O'Connor, O'Coigley, and others were tried for corresponding with the French Directory, and O'Coigley was executed for treason.

CORSNED, or MORSEL OF EXERCATION, *kor'-ned* (Sax., *cornsnæde*, a compound of *cors*, curse, and *snæd*, a piece or mouthful), was a form of trial or purgation made use of anciently in England. A morsel of bread was consecrated by exorcism, and was administered to a suspected person as a test of his innocence. If the person was guilty, it was held that the bread would remain in the stomach and produce pallor and convulsions; if the person was innocent, the bread would act as a wholesome and nutritious morsel. Some state that the holy sacrament was given to the suspected person with the corsned, while others believe that the latter was nothing else than the sacramental bread itself.

CORTES, *kor'-tez* (Spanish), is the name given in Spain and Portugal to the assembly of representatives of the nation. These assemblies

have been variously constituted, and possessed of various powers, at different times in these countries. They have existed from an early period, but their origin is involved in obscurity. In Spain, on the decline of the Moorish power, as district after district was recovered by the Christian princes, we find certain political corporations rising up and limiting the power of the princes. In the two principal states (formed by the union of a number of smaller ones), Castile and Aragon, the three *estamentos*, or states of the clergy, nobility, and inhabitants of enfranchised towns, were represented in the Cortes. After the union of the two kingdoms, Ferdinand and Isabella succeeded in making themselves independent of the Cortes; and afterwards, when the Castilians attempted to oppose an extraordinary tax, at a meeting convoked at Toledo by Charles I., in 1536, the king abolished this assembly of the states. After this, neither the clergy nor nobility were assembled, but deputies from eighteen of the cities were sometimes convened, only, however, when subsidies were to be granted. The special privileges of the Aragon Cortes were much abridged by Philip II. in 1591; and after the Spanish war of succession, Philip V. deprived those provinces which had adhered to the Austrian party of the privileges that still remained to them. From that time the Cortes were only convened to pay homage to the king or the prince of Asturias, or when a question respecting the succession to the throne was to be determined. After 1713, they did not meet till 1789, on the accession of Charles IV. In 1809, the Cortes were assembled by the Junta (see JUNTA), and, in 1812, gave out a new constitution. This extraordinary Cortes was succeeded by the ordinary Cortes, elected according to the new constitution, in 1813; but it was dissolved by Ferdinand, on his return, in 1814, and the new constitution abrogated. Numerous changes have since taken place.

Present Constitution of the Spanish Cortes. The Cortes are composed of a Senate and Congress, equal in authority. There are three classes of Senators—first, Senators by their own right, secondly, 100 life Senators nominated by the Crown; and thirdly, 120 Senators elected by the Corporations of State, and by the largest payers of contributions. Senators in their own right are the sons, if any, of the King and of the immediate heir to the throne, who have attained their majority, Grandees who are so in their own right and who can prove an annual rental of 50,000 peetas, or £2,400; captain-generals of the army; admirals of the navy; the patriarch of the Indies and the archbishops; the presidents of the Council of State, of the Supreme Tribunal, and of the Tribunal of Chancas del Reino. The elective Senators must be renewed by one-half every five years, and by totality every time the King dissolves that part of the Cortes. The Congress is formed by deputies "named in the electoral Juntas in the form the law determines," in the proportion of one to every 50,000 souls of the population. Members of Congress must be 25 years of age; they are re-eligible indefinitely, the elections being for five years. The deputies cannot take State office, pensions, and salaries; but the ministers are exempted from this law. Both Congress and Senate meet every year. The King has the power of convoking them, suspending them, or dissolving them; but in the latter case a new Cortes must sit within three months. The king appoints the president and vice-president of the Senate from members of the Senate only.

The Portuguese Cortes.—There are two legislative Chambers, the "Câmara dos Pares," or House of Peers, and the "Câmara dos Deputados," or House of Commons, which are collectively called the Cortes Gerais. The peers, theoretically nominated for life by the Sovereign, by whom also the president and vice-pres-

ment of the first chamber are nominated. The members of the second chamber are chosen in direct election, by all citizens possessing a clear annual income of 133 milreis, or £22. The deputies must have an income of at least 390 milreis, or £39 per annum; but lawyers, professors, physicians, or the graduates of any of the learned professions, need no property qualification. Continental Portugal is divided into ninety-four electoral districts, returning as many deputies, to which Madeira and the Azores add five. Each deputy has a remuneration of about 10s. a day during the session. The annual session lasts three months, and fresh elections must take place at the end of every four years. In case of dissolution, a new Parliament must be called together immediately. The General Cortes meet and separate at specified periods, without the intervention of the Sovereign, and the latter has no veto on a law passed twice by both Houses. All laws relating to the army and general taxation must originate in the Chamber of Deputies.

COSCINOMANCY, *kos-se-nom'-an-se* (Gr., *kosmōmōn*, a sieve), a species of divination practised in early times, for the detection of thieves, by means of a sieve, suspended from a pair of shears. A mystical form of words was used and the names of suspected persons being mentioned in succession, at the name of the thief, the sieve, it was believed, would turn round. In comparatively modern times, a similar appeal was made to a Bible suspended from a key.

COSTS, *kosts* (Ger., Dan., *kost*), the charges to which a person is subject in a legal proceeding, and are a necessary appendage to judgments, but are payable in various interlocutory and other proceedings. The first statute which gave costs to the plaintiff, was the statute of Gloucester, 6 Edward I. c. 1, as did the statute of Marlbridge, 52 Henry III. c. 6, to the defendant in one particular case relative to wardship in chivalry, though, in reality, costs were always considered and included in the quantum of damages in such actions where damages are given; and even now costs for the plaintiff are always entered on the roll as increase of damages by the court. With the exception which has been mentioned, no costs were allowed to the defendant in any case till the statute 23 Henry VIII. c. 15, since which divers statutes have been passed, both as regards plaintiff and defendant, and rules and orders of the courts have been made respecting them. If a plaintiff shall bring an action of covenant, debt, detinue, or assumpsit (not being for breach of promise of marriage), and he shall not recover more than twenty pounds; or, in an action of trover or case, and he shall not recover more than five pounds, provided any such action is cognizable in a county court, unless the judgment be by default, or unless it be certified by the judge who tries the cause, or it appears to the court itself that there was sufficient reason for bringing the action there, he is not entitled to costs. To this general rule, however, there are certain exceptions. A party who has tendered the amount recovered, and who pays the amount into court, and pleads the tender is not bound to pay costs. In actions in which the Crown is a party it is entitled to receive and bound to pay costs in the same way, as a private party. In cases between party and party, the costs are taxed by an officer of the court, who reduces or increases any of the charges, according to a certain scale governed or fixed by rules of the court, or at his discretion where the item is not included in such scale; and, as between an attorney or solicitor and his client, either party may have the costs taxed. In criminal cases, the prosecutor's costs may be allowed by the

judge, and in that case are paid by the Treasury. In suits in equity, costs are in some cases paid out of the estate respecting which the suit arose.

COUNCIL, *kouen'-sil* (Lat., *concilium*; Fr., *concile*), in a general sense, is a number of persons summoned or convened together for consultation or advice. In modern politics, it is generally used to designate an assembly intended to assist the sovereign, and composed of members whose chief business it is to discuss, advise, legislate, or decide; it being the duty of the ministers to execute. In England, Alfred had three councils, through which all the business of the nation passed. The first was a select council, to which only those high in the king's confidence were admitted, corresponding to the present cabinet. The second council was composed of nobles and bishops appointed by the king, and resembled the present privy council. The third was the Wittenagemot, or general council of the nation, which was independent of the king. In the present day, the queen has a variety of councils to assist her in the discharge of her duties, the maintenance of her dignity, and the exercise of her prerogative. The first of these is the High Court of Parliament (which see); 2. the peers of the realm, who are by their birth hereditary counsellors of the crown, and may be called together by the sovereign to impart their advice in all matters of importance to the realm, either in time of parliament, or, as has been their principal use, when no parliament is in being. A third council belonging to the queen is, according to Sir Edward Coke, her judges of the courts of law for law matters. But the principal council belonging to the queen is the Privy Council (which see), which is generally, by way of eminence, called the council. The Cabinet Council (which see) is composed of the members of the Executive Government, or administrative Privy Council, to the number usually of twelve or thirteen.

COUNCIL, OR **SYNOD**, *sin'-od*, an assembly of prelates and other spiritual persons convened for the purpose of deliberating and making laws for the benefit of the Church. There are several kinds of councils: - 1. General or oecumenic councils, which are composed of representatives from all parts, summoned for the settling of points of universal interest; 2. national councils, composed of the bishops or clergy of one kingdom or state, but whose decisions are not regarded as binding over the Church; and 3. provincial councils, convoked by the metropolitans in their respective districts. The earliest councils were provincial; but sometimes clergy from distant parts attended, in consequence of express invitation. The metropolitan, as president, came to acquire great influence in the provincial council, which at length became little more than an organ in his hands. Presbyters as well as bishops were admitted to deliberate and vote, and deacons were also present; but it is matter of doubt whether they were allowed to vote. Some are of opinion that the laity even had seats and votes in the early councils. The number of councils which have been held at various times is very great, amounting, according to some authorities, to 1,500, or 1,600. Of general, or oecumenical councils, the number is by no means so great; but the different churches are by no means agreed as to what are to be regarded as such. The Greek Church only acknowledges 7; and the Roman Catholics reckon 21; but the French Catholics reject those of Lyons, Florence, and the Fifth

Lateran, and receive in their stead those of Pisa, Constance, and Bâle, which the Italians reject.

General Councils.—The following is a list of the general councils according to the Roman church: the first eight were called by the Emperor, and the rest by the Pope. The principal of them will be found more particularly noticed under their own names in other parts of this work. 1, The Council of Nice, which was convened at the city of that name in 325, and which condemned the Arian heresy and drew up the creed known as the Nicene; 2, the first Council of Constantinople, which was convoked by the emperor Theodosius the Great in 381, and which confirmed more definitely certain points of the Nicene creed against the Arians, and condemned the Macedonian heresy of denying the divinity of the Holy Ghost; 3, the Council of Ephesus (431), which condemned the Nestorian heresy; 4, the Council of Chalcedon (451), which condemned the errors of Eutyches and Dioscorus, who affirmed that Jesus Christ had but one nature; 5, the Second of Constantinople (553), which condemned the doctrines of the "Three Chapters" (see CHAPTERS, THREE) and the heresies of Origen, Arius, Macedonius, and others; 6, the Third of Constantinople (680) confirmed the canons of the five previous councils, and condemned the heresy of the Monothelites, which asserted that there was only one will in Christ; 7, the Second of Nice (787) condemned the Iconoclasts, and sanctioned the worship of images in the churches; 8, the Fourth of Constantinople (869) confirmed the worship of images, deposed Photius from the see of Constantinople, and restored Ignatius; 9, the First Council of Lateran (1123) decreed that investiture was the solemn right of the Church; 10, the Second Council of Lateran (1130) confirmed the election of Pope Innocent II., and condemned the heresies of Peter de Bruis and Arnold of Brescia; 11, the Third Lateran (1179) condemned the "errors and impieties" of the Waldenses and Albigenses; 12, the Fourth Lateran (1215) took up many points of morality, and condemned various heresies; 13, the First Council of Lyons (1245) ordered a new crusade for the recovery of the Holy Land, and excommunicated Frederick II. of Germany; 14, the Second of Lyons (1274), for reforming discipline and the morals of the clergy, and effecting a union with the Greek Church; 15, the Council of Vienne (1311) condemned the order of the Templars, and confiscated their property; 16, the Council of Pisa (1511) deposed Gregory XII. and Benedict XIII., and elected Alexander in their stead; 17, the Council of Constance (1418) deposed the three contending popes and elected Martin V. in their place, and condemned the doctrines of Huss, Wickliffe, and Jerome of Prague; 18, that of Basle (1431) called to effect a reform in the Church, and to bring about a union with the Eastern church; 19, the Fifth Lateran Council (1512) for the suppression of the pragmatic sanction (which see) and the strengthening of the power of the Roman see; 20, the Council of Trent (1545) for the reformation of ecclesiastical abuses and the condemnation of the reformed principles; 21, Rome, 1869.

COUNCILS, FRENCH.—In 1795, a Council of Ancients, of 250 members, together with the Council of Five Hundred, was instituted at Paris, the executive being a directory of five members. It was dissolved by Bonaparte, November 9, 1799.

COUNCIL OF WAR, is an assemblage of the principal officers of a fleet or an army, summoned by the admiral or general, for deliberation or consultation, or to assist him by their advice.

COUNCIL, TOWN. (See TOWN COUNCIL.)

COUNSEL, OR COUNSELLOR. (See ADVOCATE, BARRISTER.)

COUNT, *count* (Fr., *comte*; Lat., *comes*), a title of dignity intermediate between duke and baron, and is, properly, a nobleman who owns a domain erected into a county; but sometimes ambassadors and plenipotentiaries are styled counts without possessing the necessary territory.

In England, the title has never been used, although *comes* is regarded as the Latin equivalent for earl, and from a very early period the title countess has been given to the wife of an earl. In the times of the Roman Republic, the inferior officers, such as the tribunes, prefects, &c., were known as the *comites* of their principal. As a title of dignity, it was first used during the reign of Constantine, who, upon the foundation of the new capital, bestowed the dignity of *comes* upon ten out of thirty-five provincial generals. The Germans, Franks, and other nations retained the title, applying it principally to the governors of cities, just as *duces*, or dukes, designated those noblemen that were in command of provinces. During peace they administered justice; in war they commanded in the army. Under the last of the second race of French monarchs, the dignity became hereditary. In Germany, a count is called *graf*. (See GRAF.)

COUNT (Fr., *compte*), in Law, signifies the declaration of the complainant in a real action. As *declaration* is applied to personal, so *count* is applied to real causes: but *count* and *declaration* are oftentimes confounded, and made to signify the same thing; so the divisions of, or separate statements or allegations in a declaration, indictment, or criminal information, are called *counts*. In the law of Scotland, *count* and *reckoning* is the term used for a process by which one party compels another to render an account.

COUNTY, *countie*, meant at first the territory under the jurisdiction of a count or earl; but at the present time it is a term, so far as England and Scotland are concerned, synonymous with shire, the latter word coming from the Saxon, and the former from the French. In Ireland the term shire is not used as an equivalent of county; neither is it so used in the English colonies, or in the States of North America. (See SHIRE.) As a territorial division, the county is a comparatively late introduction into Scotland; whilst in Ireland its recognition is still more recent. In all the counties of England, with the exception of Durham, Westmoreland, and Cumberland, *sheriffs* are appointed every Michaelmas term for the execution of the laws. The command of the militia of a county is vested in the lord-lieutenant. Other county officers are:—Justices of the peace, *custodes rotularum*, high constables, bailiffs, and coroner. In England and Wales, there are thirty-two counties, three of which, Lancaster, Chester, and Durham, are called counties palatine (from *palatium*, palace), because the chief officer had originally regal powers, or power to administer justice equal with that exercised by the monarch in his palace. Scotland contains thirty-three counties; Ireland thirty-two.

COUNTY CORPORATE, in England, is a term applied to several cities or boroughs which are enabled to enjoy the privileges of counties, and in official proceedings are styled cities and counties, or towns and counties.

COUNTY COURTS, OR SCHYRE-MOTES, were important tribunals in the time of the Saxons, for the settlement of local disputes. The name County Courts is now given to courts for the more easy recovery of small debts, instituted in 1846 by the Act 9 and 10 Vict. c. 95, superseding the courts of request and some local courts. Originally, the jurisdiction extended only to debts not exceeding £20; but in 1850 it

was extended to £50. In 1865, equity powers in cases relating to sums under £500 were conferred; in 1867, a jurisdiction in bankruptcy and insolvency and administration of small estates; in 1869, an Admiralty jurisdiction was added; and in 1875, power to dispose of questions between masters and workmen. The counties of England and Wales are divided into sixty county court districts, each having a judge, who must be a barrister, who generally decides cases, but in certain cases a jury may be summoned if either party to the case desires it, on payment of certain extra fees. In those districts there are about five hundred courts, to each of which is attached a resident registrar, who is aided in conducting the business by a staff of clerks, and by a bailiff, who serves processes and levies execution. There are about twenty-five treasurers, in whom is vested all the property of the courts, and who are appointed by the Lords of the Treasury. The courts are very extensively resorted to. There are ten courts in the metropolis—Bloomsbury, Bow, Brompton, Clerkenwell, Lambeth, Marylebone, Shoreditch, Southwark, Westminster, and Whitechapel. These courts are very extensively resorted to, and afford great facilities.

COUNTY RATE, a local tax levied in England and Wales on all property liable to be assessed for the relief of the poor, for the purpose of defraying the expenses of the maintenance of bridges, lunatic asylums, prosecutions, &c., to which counties are liable.

COURT, *kourt* (Sax., *curt*; Lat., *curia*, a senate-house), originally meant the place inclosed by the buildings of a feudal castle; afterwards it came to denote the retinue or council of a sovereign. It also applies to the family and attendants of the sovereign in a public capacity. To be presented at court is to be presented to the sovereign when a court or assemblage of persons of distinction or fashion are present.

COURT.—In Law, a court is defined to be a place wherein justice is judicially administered; and as by our constitution the sole executive power of the laws is vested in the person of the sovereign, it will follow that all courts of justice (which are the medium by which she administers the laws) are derived from the power of the crown; for, whether created by Act of Parliament or letters patent, or subsisting by prescription (the only methods by which any court of judicature can exist), the queen's consent in the former is expressly, and in the latter impliedly, given. In all these courts the sovereign is supposed, in contemplation of law, to be always present; but as that is, in fact, impossible, she is there represented by her judges, whose power is only an emanation of the royal prerogative. Some of these courts are *courts of record*, others *not of record*. A court of record is that where the acts and judicial proceedings are enrolled on parchment for a perpetual memorial and testimony, which rolls are called the records of the court, and are of such high and supereminent authority, that their truth is not to be called in question; for it is a settled rule and maxim, that nothing shall be averred against a record, nor shall any plea, or even proof, be admitted to the contrary. All courts of record are the Queen's courts, in right of her crown and royal dignity; and therefore every court of record has authority to fine and imprison for contempt of its authority; while, on the other hand, the very

erection of a new jurisdiction, with power of fine or imprisonment, makes it instantly a court of record. But the courts *not of record*, or those of them, at least, in which the common law is administered, are of inferior dignity; and, in a less proper sense, the queen's courts, and these are not intrusted by the law with any power to fine or imprison the subjects of the realm, unless by the express provision of some Act of Parliament. In these also the proceedings are not enrolled or recorded. (See various articles under the specific names of the courts—JUSTICE, HIGH COURT OF, and APPEAL.)

COURT OF SESSION. (See **SESSION**, COURT OF.)

COURT BARON, formerly a court incident to every manor in the kingdom, to be holden by the steward within the manor. This court baron was of two natures: the one a *customary court*, appertaining entirely to copyholders, in which their estates are transferred by surrender and admittance, and other matters relative to their tenure only; the other is a court of common law, but not one of record, and is before the freeholders who owe suit and service to the manor.

COURT LEET, an ancient court of record, belonging to the hundred, instituted for punishing encroachments, nuisances, fraudulent weights and measures, &c.

COURT, CONTEMPT OF.—Contempts of court are either *direct*, which openly insult or resist the powers of the courts or the persons of the judges who preside there, or else are *consequential*, which (without such gross insolence or direct opposition) plainly tend to create a universal disregard of their authority. All courts of record are the Queen's courts, in right of her crown and royal dignity; and, therefore, every court of record has authority to fine and imprison for contempt of its authority.

COURT HAND, the old style of handwriting, as distinguished from the modern, or Italian. The name is taken from the use of the style in the law courts, after it had been superseded elsewhere.

COURT MARTIAL, *mar'-shal*, a court composed of military or naval officers for the trial of any person belonging to the army or navy, charged with breach of the laws of their services. The court generally consists of thirteen members, and the verdict and sentence are decided by majorities, the junior members voting first. The prosecution is conducted by a deputy judge advocate appointed for the purpose. In the army court-martials are, *general, district, or regimental*; but only the first named has power to award death or transportation for life as a punishment, and that sentence must be confirmed by the commander-in-chief. A commissioned officer can only be tried by a general court-martial, but a non-commissioned officer or private by any one of the courts. A district or garrison court-martial may be convened by a field officer commanding the district; a regimental court-martial by the commanding officer of a regiment. All the courts are open to the public. A court-martial is sometimes preceded by a *court of inquiry*, not to try or punish, but to make an investigation. Naval courts-martial consist of admirals, captains, and commanders, appointed by the admiral of the fleet, and deal

with offences against the articles of war; and the sentence does not, as in the case of military courts, require the confirmation of a higher authority. The accused cannot be represented by counsel; but he is permitted to have "a friend" to advise him, and suggest questions to the witnesses and the nature of the defence, and that friend is generally a member of the legal profession.

COURTESY, in Law. (See **CURTESY**.)

COURTESY TITLES. (See **TITLES**.)

COVENANT, *kuv'-e-nant* (Lat., *convenire*, to come together), in Theology, is used in a double signification, the one of which is commonly called the Scriptural, the other the systematic or popular use of the term. In the former sense we find the word repeatedly used in Scripture to denote an arrangement, disposition, or institution, according to which the divine favour is dispensed to those with whom it is made. God's covenant with man signifies his solemn promise or engagement to do or not to do a certain thing. Thus, in his covenant with Noah, He engaged that the waters of the deluge should not again cover the earth. The two great covenants mentioned in Scripture are what are called the Old and New, or the first and the second; the former of which was that made by God with the children of Israel, when He took them to be a peculiar people unto Himself, and is also called the Mosaic or Sinai covenant, because it was given to Moses on Mount Sinai. The second, or new covenant, or Gospel Covenant, is that which was instituted by Jesus Christ. Divines speak of two covenants—that of works and that of grace. The former is that which was made with Adam on his creation, in virtue of which he was constituted the federal head of the human race, and his acts became binding on his posterity. The covenant of grace is a compact or agreement between God and believers, in which God promises to give them all the blessings of salvation through and for the sake of Jesus Christ; and they on their part voluntarily engage to give themselves to God with a sincere faith.

In Law, an agreement by deed, the provisions of which can be enforced by action.

COVENANT, in the history of Scotland, is applied to certain contracts or conventions entered into by the leading Protestants of that country, binding themselves to maintain their religious principles against innovation and opposition. The *First Covenant* was signed at Edinburgh, on the 3rd of December, 1557, by the earls of Argyll, Glencairn, and Morton, the Lord of Lorn, John Erskine of Dun, and a great number of other distinguished persons. They engaged, with God's grace, to apply their whole power, substance, and very lives, to maintain, set forward, and establish the most blessed word of God and His congregation. On the 31st of May, 1559, another covenant was signed by them at Perth, in which they bound themselves still more distinctly to mutually support and defend each other against all attacks upon them for the sake of religion. This is known as the *Second Covenant*. The *First National Covenant of Scotland* was occasioned by a fear that the young king was too much under the influence of Catholic advisers, and was signed by James VI., on January 28, 1581, and in it he solemnly abjured the errors of popery. It was afterwards subscribed by the greater part

of the nobility and gentry throughout the kingdom. Attempts on the part of Lennox, Arrian, and others of the nobility, to re-establish bishops roused the country to a renewal of the covenant in 1590; and as the king continued to give indications of a leaning towards prelacy, it was again renewed in 1596. The attempts made by James, after his accession to the English throne, to introduce the episcopal service and forms of worship roused the indignation of the people of Scotland, and the National Covenant was again renewed in 1638. The covenant, as then drawn up, consisted of three parts:—1, The old covenant of 1581, exactly as at first prepared; 2, the Acts of Parliament condemning popery and confirming and ratifying the acts of the General Assembly; and 3, the special application of the whole to present circumstances. The subscribers engaged by oath to maintain religion in the same state in which it existed in 1580, and to reject all innovations introduced since that time. The subscribing began in the Greyfriars church and churchyard, in Edinburgh, on the 28th of February, and afterwards copies of it were circulated throughout the kingdom, and signed by nearly all of competent age and character. It is worthy of remark that the signing was everywhere regarded as a most sacred act, and some persons of note who offered their subscriptions were refused, because it was supposed that they were influenced more by the fear of men than love to the cause. Those who subscribed were known by the name of *Covenanters*. Soon after this time, Charles I. came to a rupture with the English Parliament, and the latter, in order to obtain the assistance of the Scotch, made overtures for a union, which led to the *Solemn League and Covenant*. This document was drawn up and ratified by the Convention of Estates in Scotland in 1643, and afterwards accepted and subscribed by the English Parliament and Westminster assembly of divines. It bound the united kingdoms to endeavour the preservation of the reformed religion in the Church of Scotland, in doctrine, worship, discipline, and government, and the extirpation of popery and prelacy and the reformation of religion in the three kingdoms. When Charles II. came over to Scotland, in 1650, he signed both this and the National Covenant before landing, and again on his coronation at Scoon, in 1651. On his restoration to the English throne, however, he soon manifested his repugnance to these documents, and they were rescinded by Act of Parliament in 1661, and burned by the common hangman.

COVENANTERS, those who maintained their adherence to the principles of the National Covenant, in Scotland, and were subjected to great persecutions, which served only to confirm them in their principles. Those who refused to abjure the Covenant were regarded as rebels, and were obliged to betake themselves to the desert moors and mountains of their native country, where they were hunted like wild beasts till the establishment of freedom of conscience by the revolution of 1688. The sufferings, the courage, and the piety of the Covenanters have to this time endeared them to the Scottish mind. Long after the return of more peaceful times, their memory was cherished by the religious with the deepest reverence. Scott's novel, "Old Mortality," illustrates with remarkable power and picturesqueness their fanatical devotion and heroic courage. The sect of the Cameronians

still regard themselves as representatives of the old Covenanters. (See GAMBROUANS.)

COVENTRY ACT, a measure passed in 1671, to punish malicious maiming and wounding, in consequence of an attack on Sir John Coventry, in the streets of London.

COW WORSHIP.—Isis, the goddess of Egypt, is represented as wearing the horns of a cow, and some symbol of the animal appears in most of the old mythologies. The Hindoos hold the cow in the greatest veneration; and the Brahman, or sacred cow, is kept by many families as an object of worship.

CRAMP RINGS, rings of gold or silver which, when blessed by English sovereigns, were superstitiously supposed to cure cramp and epilepsy. They originated in the time of Edward the Confessor, and the custom of blessing and distributing them on Good Friday, existed as late as the reign of Queen Mary.

CREATION, *kre-ai'-shun* (Lat., *creatio*), in its strict and primary sense, signifies the bringing into being of something which did not before exist. It is therefore generally applied to the original production of the materials out of which the visible world was composed. There is but one undivided and self-existing cause by whose power and agency all things were at first created. In a secondary or subordinate sense, it is used to denote those subsequent operations of the Deity upon matter by which the whole system of nature and all the primitive order of things received their forms, qualities, and laws. In this secondary sense, God is said to have created man out of the dust of the earth. There is indubitable evidence that the world existed many ages, and underwent various changes, before it received its present race of inhabitants, others of other forms and other properties having lived their ages and become extinct. The difficulty is to reconcile these facts with what we find recorded in the book of Genesis. The most probable solution, and even that is not without its difficulties, is, that in Genesis we have an account of two distinct creations, separated from each other by a very long and undetermined period, the first being in the beginning, when God created the heavens and the earth; the other, when the work of the days was carried on, the days being understood to mean long periods of time. It is to be borne in mind that the great truth which Moses intended to convey to the children of Israel was, that God was the creator of all things; and that it was necessary for him to do this so as to be understood by them, and to conform his instructions to their preconceived or preceived opinions. Scripture was intended to teach theology, not science—to reveal what could never have been found out by reason, and to leave to reason its own particular province.

CRESCENCE, *kre-dens*, is a small table near the altar of communion-table, on which the bread and wine to be used in the celebration of the Lord's Supper are placed previous to consecration. They were common in the early churches. The name is said to be derived from the practice in ancient courts of having a sideboard or credence-table, at which the cupbearers and servers (*crederarii*) were required to taste the wines and meats before being presented to the monarch, in case of poison.

CREDENTIALS, *kre-den'-shals*, are the in-

struments or letters which an ambassador or other diplomatic minister receives from his own government, to present to that to which he is sent, and which define his powers and show to what rank of minister he is intended to belong.

CREED, *kreed* (Lat., *credo*, I believe), is a brief summary of the articles of faith. There are various creeds, the chief of which are the Apostles', Athanasian, and Nicene. (See these articles and CONFESSION OF FAITH.)

CREMATION, *kre-mai'-shun* (Lat., *cremo*, I burn), denotes the act of burning, and is particularly applied to the ancient custom of burning the dead. Attempts have recently been made to revive the practice; but it is not permitted in this country, and the bodies of persons who wished to be burnt after death have been taken to the Continent. Cremation halls have been erected at Gotha and Milan.

CRIME, *krime* (Lat., *crimen*; Fr., *crime*), is the violation of a right when considered in reference to the evil tendency of such violation as regards the community at large. The distinction of public wrongs from private—of crimes from civil injuries, seems, upon examination, to consist in this—that private wrongs, or civil injuries, are an infringement or privation of the civil rights which belong to individuals, considered merely as individuals. Public wrongs, or crimes, and misdemeanours, are a violation of the same rights, considered in reference to their effect on the community in its aggregate capacity; and, thus understood, they are called either as felonies or misdemeanours (which see).

CRIMINAL LAW. (See LAW.)

CRITIQUE, OR **CRITIC**, *krit-ick*, *krit'-ik* is a term adopted from the Germans, and is applied to the science of the pure faculty of reason, or the investigation of that which reason is able to know or effect independently of experience. It is applied to the philosophical system of Kant, from his famous work entitled the "Kritik der reinen Vernunft" (Criticism of Pure Reason). (See KANTIAN PHILOSOPHY.)

CROSIER, *kre'-shur* (from the root of cross), a pastoral staff of a bishop, the emblem of pastoral authority and care. Strictly speaking, the crosier is a staff surmounted by a cross, although it is generally confounded with the pastoral staff, which is made in the form of a crook. The use of crosiers is very ancient. The Byzantine crosier had at the top either a cross or a knob, with curved serpents on both sides. When the bishops pronounced solemn benediction, they take this emblem into their hands.

CROSS, *kros* (Lat., *crux*), a common instrument of capital punishment among the ancients. It was made of two pieces of wood, crossed either at right angles or otherwise, on which the bodies of the malefactors were fastened, and left exposed till death put an end to their sufferings. After the crucifixion of Christ, the cross became the emblem of the Christian religion. Constantine, believing that he had gained his victory over Maxentius through the sign of the cross, caused crosses to be set up in public places and upon public buildings. The cross, as an emblem, however, was in use long before the Christian era, and had many mystical and religious properties attached to it. When the Spaniards arrived in South America, they were astonished

to find that the natives used the cross as a religious symbol in their temples. Early in the Christian dispensation, however, the cross became an emblem of religion. The large cross over the entrance to the chancel of a church was called the rood, or holy rood, and became an object of veneration. The holy rood was often elaborately ornamented.

Elevation of the Cross, a festival (September 14) of the Romish Church, commemorating the re-erecting of the cross in Jerusalem, by the Emperor Herodias, in 628, after it had been carried away by the Persians.

Invention of the Cross, or more correctly, the discovery of the cross, a name given by the Roman Catholic Church to a festival, celebrated on the 3d of May, to commemorate the finding of the cross on which our Lord suffered, by the Empress Helena, mother of Constantine the Great. In 326 A.D., although nearly eighty years old, she undertook a journey to Jerusalem, there found the true cross and the crosses on which the thieves suffered, and was miraculously directed to select the right one. An order of friars was founded in the 13th century in honour of the invention of the cross. (See **CROUCHED FRIARS**.)

Cross, Order of the, a spiritual order of knighthood, established in Palestine, in the trace of the Crusades, and at first known as the Bethlehemite order. After the 13th century, the knights became monks, and had many convents in southern Germany and Poland. The chief house is now in Bohemia, and many of the members hold high positions in the church, and as University professors at Prague. They wear a cross of red satin, with a six-pointed star.

CROSS BUNS. (See **GOOD FRIDAY**.)

CROSS-EXAMINATION.—A witness in a civil or criminal trial, having answered the questions put to him by the counsel who represents the party by whom the witness was called, may be questioned by the counsel on the opposite side, with a view to test the truth of the evidence he has given, or to elicit new facts which may lessen its value; and that questioning is known as "cross-examination."

CROTCHET, *krotsh'-et* (Fr., *crotchet*), the third principal note in music. It is equal in duration to half a minim, or the fourth of a semibreve.

CROUCHED, OR CRUTCHED FRIARS, *krouch'-d*, the members of the order founded in honour of the invention of the Cross (see **CROSS, INVENTION OF**). They carried a staff, on the top of which was a cross, and, when first instituted, were known as Croisiers, a name which in course of time was corrupted into that by which they are best known. They came to England in the 13th century, and had several monasteries. The site of the London house, near Old Broad Street, is still known as Crutched Friars.

CROWN, the Crown is a term often used in Great Britain in order to designate the State; as Crown ministers, Crown lands, &c.

CROWN LANDS, are the lands, estates, or other real property belonging to the Crown or Sovereign. The Crown lands of England are now contracted within narrow bounds, having been granted away at various times to subjects. William III. so impoverished the Crown property in this way, that an Act was passed by which it was decreed that all grants of Crown lands for more than thirty-one years are void.

CRUCIFIXION, *kru-see'-shun* (Lat., *crux*, a cross, and *ficio*, I make), was one of the most ancient modes of inflicting the punishment of death. At first, probably, it was inflicted by

merely fastening the victim to a tree and leaving him thus to perish of want, or to be devoured by wild beasts. The cross was used as an instrument of punishment by almost all the nations of antiquity—the Greeks, Romans, Carthaginians, Jews, Egyptians, Persians, &c. Its use was abolished throughout the Roman world by Constantine, out of respect to the feelings of the Christians, and since that time it has gone out of use. Among the Carthaginians, crucifixion was inflicted on all ranks of individuals, but among the Romans it was confined to slaves and the vilest malefactors. Among the latter the culprit was scourged prior to crucifixion, and was also forced to carry his cross to the place of execution. The sufferer was usually attached to the cross by means of nails driven through his hands and feet, but sometimes he was fastened with ropes. In order to hasten death, the legs were frequently broken, or the body pierced with a spear or other sharp instrument, otherwise the sufferer often lived for days upon the cross.

CRUCIFIX, a cross with the effigy of the Saviour affixed to it. In Roman Catholic Churches, a large crucifix stands in the centre of the high altar, and is in many instances made of gold or silver. (See **CROSS** and **COEN**.) In Catholic countries, large crucifixes are often placed at the roadside. (See **CALVARY**.)

CRUSADES, *kru-saids'* (Lat., *crux*, a cross), in the history of Europe, is the name given to certain religious wars carried on for the space of two centuries, between the Christian nations of the West and the Mohammedans, for the possession of Palestine. They received their name from the Christians engaged in them having adopted the sign of the cross. As long as the caliphs of Bagdad and their successors, the Fatimites of Egypt, were in possession of the Holy Land, the Christians had full liberty to visit the sacred places; but after the conquest of Palestine by the Turks, the pilgrims were subjected to cruel treatment, and Europe was filled with their complaints. At length, Peter of Amiens, known as Peter the Hermit, who had visited the Holy Land and witnessed the cruelties perpetrated by the Turks, set out on a pilgrimage through Europe, everywhere inflaming the minds of the people with accounts of what he had seen, and producing the most extraordinary excitement. **First Crusade**, the Pope, Urban II., in 1095, summoned two councils, at which the war was agreed upon, and the 15th of August, 1096, was fixed for the departure of the army. The first army consisted of about 40,000 men, chiefly Franchmen, Normans, Dutch, Germans, and Italians, but totally undisciplined. They marched through Hungary and Servia, where many of them perished, and the rest were totally defeated and almost annihilated by the Turks, at Nicrea, in Bithynia. It was succeeded, however, by a well-disciplined army of about 600,000 strong, comprising many of the nobility and the best soldiers in Europe, under the command of Godfrey of Bouillon, duke of Lorraine, and on the 15th of July, 1099, after a siege of about six weeks, they obtained possession of Jerusalem, and Godfrey was chosen king. A **Second Crusade** was preached by St. Bernard, abbot of Clairvaux, and two immense armies, estimated together at upwards of a million of men, were raised, under the command of Conrad III., emperor of Germany, and Louis VI., king of France. Through the treachery, however, of

the Greek emperor, Manuel Comnenus, this vast army was all but destroyed by the Turks, and, after an unsuccessful attempt to reduce Damascus, the residue had to make their way back to Europe. The news of the capture of Jerusalem by Saladin (1187), and the fall of the Christian kingdom of Palestine, brought about the *Third Crusade*. The leaders of this new expedition were Frederick Barbarossa, emperor of Germany, Philip Augustus, king of France, and Richard Cœur-de-Lion, king of England. After a lengthened siege they obtained possession of the city of Acre; but Philip soon afterwards returned to France, and Richard concluded a peace with Saladin, in terms of which the Christians of the West were to be allowed to make pilgrimages to Jerusalem without molestation. The *Fourth Crusade* was intended, like the others, for the conquest of the Holy Land; but, instead of that, it directed its efforts against the Greek empire. Assembling at Venice in 1203, the dogs of that city induced them to take the town of Zara, in Dalmatia, and afterwards they took up the cause of Alexius, whose father, Isaac Angelos, had been driven from the Greek throne by his own brother. The *Fifth Crusade* commenced by the march of a body of troops, under the command of Andrew II. of Hungary, against the Turks, in 1217. After a series of successes in Palestine and Egypt, they suffered a severe reverse before Cairo, and were obliged to sue for leave to return home in 1221. Five years later, Frederick II. of Germany put himself at the head of a considerable army, and set out for the conquest of the Holy Land. The expedition was successful, and Frederick, after receiving from the sultan possession of Jerusalem, and being crowned king, returned home in 1229. Jerusalem and Palestine having again fallen into the hands of the Turks in 1244, the *Sixth Crusade* was undertaken by Louis IX. of France in 1249. He marched into Egypt, took Damietta; but was afterwards defeated, the greater part of his army cut off, and himself taken prisoner. He obtained his liberty and that of his followers on agreeing to pay a heavy ransom, and then returned home. Louis, however, did not give up the idea of reconquering the Holy Land, and a few years later he originated the *Seventh* and last *Crusade* against the Holy Land. He died at Tunis, on his way to Palestine, and the command of the expedition devolved upon Edward, prince of England, afterwards Edward I. He marched into Palestine, took the town of Nazareth, but effected nothing further of consequence, and soon after returned home. Acre and a few other towns still remained to the Christians, and were defended for some time by the Templars and other military knights; but at length Acre capitulated in 1291, and the other towns soon after followed its example. The *Crusades* were undoubtedly carried on at an enormous expense of human life, and, in the end, produced no material result, while, during their continuance, they necessarily retarded all progress in the peaceful pursuits of the arts or manufactures; but, on the other hand, they exercised a most beneficial influence upon the civilization of Europe. The various nations of Europe were united together in one common cause, and taught to know and sympathize with each other; they were brought into contact with two new civilizations—the Greek and the Saracenic, each more advanced and refined than their own; and commercial enterprise received from the *Crusades* its first and its greatest stimulus.

Children's Crusade.—In 1212, so great was the enthusiasm aroused, 20,000 children, led by Nicholas, a shepherd lad, started from Germany, hoping to reach Palestine, and convert the Saracens. They suffered terribly, and only 7,000 reached Genoa. Some made their way to Rome, and were bidden by the Pope to return home, but in attempting to do so, many were kidnapped and sold into slavery.

CRYSTALLOMANCY, *kris-tal-om'-an-ee*, a mode of divination of great antiquity, and which has lasted to nearly our own days. A crystal globe, or a precious stone (especially the beryl), was placed in the hands of a boy or young virgin, who saw in the crystal spirits who answered questions, or sometimes the desired information was conveyed in written characters. In the reign of Queen Elizabeth, Dr. John Dee, credited with being a magician, possessed a crystal of this kind, and only a few years since it was produced in one of the courts of law, in the course of proceedings to which the owner, the editor of "*Zadkiel's Prophetic Almanack*," was a party.

CUBIT, *kul'-bit* (Lat., *cubitus*), a measure of length employed by the ancients, and more especially by the Hebrews. It was originally the distance from the elbow to the tip of the middle finger. According to some authorities, there were two cubits in use by the Jews—the sacred and the common cubit. The former was 21 inches long and the latter 18 inches. Calmet, however, states his belief that the second, or shorter cubit, was not introduced until after the Babylonian captivity. Hence Ezekiel's precaution (Ezek. xl. 5) in speaking of the cubit as a cubit and a hand-breadth. The cubit is now generally understood as measuring 18 inches.

CULDEES, *kul'-deez*, the name given to an ancient religious order of ecclesiastics that existed in Ireland, Scotland, and the northern parts of England. The derivation of the name is uncertain, some tracing it to the Celtic, others to the Latin. According to Buchanan, it is a corruption of *cultores Dei*, worshippers of God; but as in the Irish language, *Culte-De*, means "attendants of God," we need not, perhaps, look further for the derivation. The time of their first appearance, and the character of their institutions, have been no less matter of dispute than their name. Some date their origin from the middle of the 6th century, and attribute their institution to Columba, who came over from Ireland to the island of Iona, on the west coast of Scotland, where he established a monastery, and from which he sent forth his disciples to diffuse the knowledge of Christianity. Having no correspondence with the see of Rome, they are said to have been free from the corruptions that, at a later period, crept into that church, as saint and relic worship, auricular confession, penance, &c.; and their time for the celebration of Easter differed from that of the Church of Rome. They prosecuted their missionary labours throughout Ireland, Scotland, and the northern parts of England, and established flourishing settlements in various parts, after the model of Iona. Many of these were in the form of colleges, where instruction was given to youth. In Scotland, their chief settlements were, besides Iona, on the island of St. Serf in Lochleven, at St. Andrews, Dunkeld, Abernethy in Perthshire, Morfeth near Dundee, and Monymusk in Aberdeenshire. The Culdees gradually lost their power before the growing influence of the Church of Rome, the erection of

bishoprics under the patronage of the kings of Scotland being a death-blow to their independent existence; and their suppression is generally dated from the end of the 13th century, when the Cuthberts of St. Andrews made their last attempt at resisting the usurpations of the bishop of that see, though it is generally believed that numbers continued to hold their principles down nearly to the time of the Reformation. Several modern ecclesiastical writers and antiquaries, however, hold that there is no trustworthy evidence of the existence of the Cuthberts prior to the middle of the 9th century; that there is no reason to suppose that they differed in any material point of faith, discipline, or ritual, from the Church of Rome; and that, in reality, they were a mere collection of monastic institutions in connection with the Catholic hierarchy.

CUMBERLAND PRESBYTERIANS.—

In 1810, a dispute arose between the presbytery of Cumberland, in the State of Kentucky, and the Kentucky Synod of the Presbyterian Church in America, respecting the ordination of persons who had not been specially educated for the ministry. The presbytery, considering that the proposed ministers were required to meet the religious exigencies of the times, seceded, and formed a new church with the title Cumberland Presbyterians, which now numbers about 130,000 members. They hold the doctrine of universal redemption and deny the predestination of sin.

CUMULATIVE VOTE, ku'-nu-la-tive.—In some elections, where more than one person is to be elected, an elector has as many votes as there are members to be returned, but he may accumulate his votes in favour of one candidate. That method is adopted in the elections for the London School Board; and was proposed by Mr. Lowe in 1867 for Parliamentary elections, but rejected by a large majority.

CUP, DIVINATION BY.—The ancient Egyptians and Persians practised a mode of divination by cups or goblets. When they desired to question the supernatural powers, small pieces of gold and silver, and precious stones, marked with strange figures and signs, were thrown into the vessel, and by certain incantations a demon was invoked, who was supposed to give the information sought, by intelligible words, by pointing to some of the characters on the precious stones, or in some other mysterious manner. Sometimes the cup contained water, in which appeared, as if reflected, the form of the person respecting whom questions might be asked. In the story of Joseph and his brethren, as related in the Book of Genesis (xlv. 5), the silver cup, "my cup," put by Joseph's order into Benjamin's sack, is described by the steward as the cup "in which my lord drinketh, and whereby, indeed, he divineth;" but there is no intimation of the mode of using the cup.

CURATE, ku'-rait (Lat., *cura*, care). (See CHURCH OF ENGLAND.)

CURATOR, ku'-rai-tor (Lat., *curare*, to take care), an officer among the ancient Romans whose duties were very varied. In civil law, a curator was one appointed to administer the estate of any person not legally competent to manage his own property. Every person under age who was not under paternal or domestic rule, who was deaf or dumb, or who squandered his money, was

put under the superintendence of a guardian. The *curator bonorum* was a trustee for the administration of the affairs of absent or deceased persons, and also of insolvent debtors. After the time of Augustus several officers, chiefly charged with the superintendence of public works, games, &c., were appointed who held the title of curator. In the universities and in learned societies, the officers who have charge of libraries, museums, collections of natural history, &c., are called curators.

CURIA, ku'-re-a (Lat.), signifies both a division of the Roman people and the place of assembly for such a division. Each of the three ancient Roman tribes, the Ramnes, Titios, and Luceres, was subdivided into ten curias, each of which had its own place of worship, which was superintended by a priest, *curio*, who was assisted by another, called *curialis flamen*. The word *curia* is also used to designate the place in which the senate held its meetings. It is described by Vitruvius as being adjacent to the forum. Its form was quadrangular, either square or oblong. Half-way up each wall there was a projecting shelf, or cornice, to prevent the voice being lost in the height of the building.

CURTESY, TENANT BY THE *ker'-te-se*.—An estate by the *curtesy* (or *courtesy*) of England is that to which a man is by law entitled on the death of his wife, in the lands and tenements of which she was seised during the marriage in fee simple or fee tail, provided he had issue by her born alive during the marriage, and capable of inheriting her estate; in this case he shall, on the death of his wife, hold the lands for his life as tenant by the curtesy of England. If the lands, however, be in gavelkind, the rule is so far different that he shall hold no more than a moiety, and that only while he lives unmarried; and, on the other hand, his title attaches whether he had issue born or not.

CURULE CHAIR, ku'-rule. (See CHAIR.)

CUSTODY. (See IMPRISONMENT.)

CUSTOM, kus'-tom (Fr., *coutume*), in the human economy, differs from habit, with which it is usually coupled, in being a frequent repetition of the same act, whereas habit is the effect which such custom produces upon the mind or body. Custom is well said to be "a second nature." It is able to give a man inclinations and capacities altogether different from those he was born with. Acts that are at first most disagreeable to us, or are only accomplished with the utmost difficulty, become, by each repeated act, more easy and pleasant; until at length it may be difficult, or even almost impossible, for us to refrain from doing them. Some pleasures are strengthened by custom, which in other cases begets familiarity and indifference, or even disgust. Custom blunts the edge of distress and pain; yet the want of anything to which we have been long accustomed is a kind of torture.

CUSTOM is a rule of civil conduct prescribed to the inhabitants of this kingdom. The *lex non scripta*, or unwritten law, includes not only general customs, or the common law, properly so called, but also the particular customs of certain parts of the kingdom, and likewise those particular laws that are by custom observed only in certain courts, jurisdictions, or among particular bodies of men. General customs are the universal rule of the whole kingdom; particular

customs are probably the remains of a multitude of local customs, prevailing, some in one part and some in another, over the whole of England while it was broken into distinct dominions, and out of which, after it became a single kingdom, one common law was collected and made applicable to the realm at large; but for reasons now long forgotten, particular counties, cities, towns, manors, and lordships, were indulged with the privilege of abiding by their own customs, in contradistinction to the rest of the nation at large, which privilege is in many instances confirmed to them by charter or by several Acts of Parliament. Such is the custom of gavelkind, borough-English, of manors, of the city of London, and other places; and to this head has been referred that branch of the law which comprises certain rules relative to bills of exchange, partnership, and other mercantile matters, and which is generally denominated the *custom of merchants*. The validity of a custom is determined by the following rules:—1. It must have been used so long that the memory of men runneth not to the contrary. The time of legal memory refers to so remote a date as the commencement of the reign of King Richard I.; but the observance of a custom for a long time will amount to *presumptive proof* of its having prevailed during the whole period of legal memory. The principle is materially qualified by the Statute of Limitations of 2 and 3 Will. IV. c. 67. 2. It must have been continued. Any interruption would cause a temporary ceasing; the revival gives it a new beginning, and thereupon it becomes void. 3. It must have been peaceable, and acquiesced in. 4. It must be reasonable, or, rather, taken negatively, it must not be unreasonable. 5. It must be certain. 6. It must be compulsory. 7. Customs must be consistent with each other. 8. And customs in derogation of the common law must be construed strictly. 9. No custom can prevail against an Act of Parliament. In the civil law, sixty years' custom is binding, and forty years in ecclesiastical cases.

CUSTOMARY FREEHOLD, a species of estate identical with copyhold, except that the tenure is expressed to be according to the custom of the manor, without adding the words "at the will of the lord."

CUSTOMS, COMMISSIONERS OF. From 1274 to 1571, the Customs duties were claimed by the sovereign, who frequently "farmed" them, or let them to the highest bidder. In 1566, Charles H. farmed them for £330,000. In 1571, commissioners were appointed. In 1787, the duties were regulated by the Customs Consolidation Act (27 Geo. III. c. 13), which has been amended by various Acts passed in the present reign. The Customs establishment now consists of a chairman, deputy-chairman, two commissioners, a secretary, and a large staff of officials. Very great changes in the Customs establishment were made by a Treasury minute issued early in 1882.

CUSTOMS DUTIES, are duties charged upon commodities on their being imported into, or exported from a country. They appear to have been called customs from being customary payments or payments which had been in use from time immemorial. They seem to have existed in every commercial country. Customs duties were levied in England previously to the Conquest. It is said that Ethelred established

duties on ships and merchandise, to be paid at Billingsgate, in the port of London, about 979. In 1200, the entire customs revenue of England, including that derived from tolls and fairs, amounted to only £1,958 7s. 3½d. By an Act passed in the reign of Edward I., foreign merchants paid one half more than English merchants; and a subsequent Act of the same reign established certain new customs, to be paid by foreign merchants only. The duties of tonnage and poundage were customs duties; the former being paid upon all wine imported, at so much a ton; and the latter, a duty on all goods not specified, at so much in the pound of their value. In the 17th year of Edward III., a duty of 6d. in the pound was imposed upon all goods exported and imported, except wool, woollens, leather, and wine, which were subject to particular duties. In the 14th of Richard II., this duty was raised to 1s; but three years afterwards it was again reduced to 6d. In the 2nd of Henry IV., it was raised to 8d., and in the 4th of the same prince, to 1s. From this time to the 9th of William III., this duty of poundage continued at 1s. The duties or subsidy of tonnage and poundage were granted for the defence of the realm and the keeping and safeguard of the seas, and for the intercourse of merchandise, and were at first granted only for a fixed period at the beginning of each reign, but afterwards for life. A new subsidy of poundage, an additional 1s. in the pound, or 5 per cent., was imposed by the 9 and 10 William III., on most imported commodities. Numerous additions and alterations were subsequently made on the customs duties, and various modes of rating adopted, so that the simplicity of the ancient plan was destroyed, and endless confusion produced. In order to remedy these inconveniences, Mr. Pitt, in 1787, proposed the abolition of all duties then subsisting, and the substitution, in their stead, of one single duty on each article, amounting, as nearly as possible, to the aggregate of the various duties then payable. These principles were embodied in the Act 27 Geo. III. c. 13, commonly called the Consolidation Act. In 1803, another consolidation of the duties was effected by 43 Geo. III. c. 68; but numerous fresh enactments having impaired the utility of these arrangements, the Government was induced, in 1823, to cause the preparation of a new set of laws for the consolidation of the customs. The bills prepared form the subject of eleven Acts of 6 Geo. IV. (c. 906 to c. 110 inclusive), and received the royal assent in July, 1825. They came into operation on the 1st of January, 1826, and, by their great simplicity, proved of immense advantage to commerce. In 1833, eight of Mr. Hume's Acts were repealed or altered by 3 and 4 Will. IV. c. 50 to c. 57 inclusive. In 1842, Sir Robert Peel proposed considerable improvements, which were carried into effect by 5 and 6 Vict. c. 47, by which the duty was reduced on 75 different articles, and the number of articles in the tariff reduced to 813. In 1845, Sir Robert Peel effected still further improvements by abolishing the duty on 430 other articles. Since that time, almost every year has seen alterations and improvements in our tariff, and in 1853 the duties on 134 articles were entirely removed. (See *TARIFF*.) Many other remissions have since been made. In the financial year ending March 31, 1882, the customs duties amounted to £19,287,000.

CUSTOM-HOUSE, the place at a sea-port where the Customs duties are paid. At each

Custom-house in the United Kingdom is a staff of officials in proportion to the trade of the port. In London, a large Custom-house was erected in 1304; a larger one in 1559, destroyed in the great fire of 1666; the next edifice was burnt down in 1718, and the building which succeeded it, also, destroyed by fire in 1814. The present edifice was opened on the 12th of May, 1817.

CUSTOS ROTULORUM, *kust-los, rot-u-lor'-um* (Lat.), is a special officer, who is always a justice of the *quorum*, to whom are committed the records or rolls of the general and quarter sessions of the peace of the county for which he is appointed. His nomination is by the royal sign manual, and to him the nomination of the clerk of the peace belongs, an officer who acts as clerk to the court of quarter sessions, and records all their proceedings, and who also takes the custody of such documents as are directed to be deposited with him by statute, or under the standing orders of either House of Parliament.

CUTTY STOOL, *kut'-to*, in the Scotch church, was the stool or seat of repentance on which offenders against chastity had to sit during divine service, professing repentance and receiving the minister's rebukes.

CYNICS, *sin'-iks*, the name given to a sect of ancient philosophers, whose founder was Antisthenes, a disciple of Socrates. According to some, the name is derived from the Greek word *kuon*, a dog, on account of the snarling character of the sect; according to others, it is formed from Cynosarges, the name of the gymnasium in which the founder expounded his system. His doctrines were chiefly confined to morals, and the evils resulting from the refinement and luxury of his age having attracted his notice, he attempted to lead men back to their original simplicity of life and manners. He taught that the true dignity of man consists in wisdom, and wisdom in independence of mind; and being by birth poor, and, consequently excluded from all political rights, he maintained that this independence, or, rather, freedom from all restraint, was to be attained by man rendering his wants as few and simple as possible. He obstinately placed himself in opposition to the character of the times in which he lived, was mean and negligent in his dress, assuming the garb and the staff and wallet of a mendicant. He is represented as teaching that pain or labour, and even infancy, is a good; and pleasure, on the contrary, an evil. His doctrine of the supreme good is a life according to virtue, which consists in action, and requires neither many words nor extensive knowledge. He condemned all civil institutions, despised the ties of kin or country, and saw in wedlock no higher or better end than the propagation of the species. These peculiar views were carried to still greater length by his followers. With them philosophy was considered to consist entirely in practice in the art of living, or in the attainment of a pleasant life, which consisted solely in dispensing with what most persons consider to be necessary. The sage, they maintained, ought to be free from all outward influences, and superior to all the accidents of chance or change. Most of the arts and sciences, as they do not tend to make men virtuous, but sometimes, on the contrary, interfere with the attainment of it, are unprofitable and pernicious. The most famous of the Cynics besides their founder were Diogenes of Sinope, Crates of Thebes with his wife Hipparchia, and Menippus.

At length the sect became so disgusting from their impudence, dirty habits, and profligacy, that they ceased to be regarded with any respect, and passed into obscurity. The great merit of this system is that it paved the way for the establishment of Stoicism, by which it was succeeded and superseded.

CY-PRES, *se-prae* (Norman French, nearly this).—It is a rule with respect to all charities, that the intention of the donor, so far as it is practicable and legal, shall be strictly observed, the law not permitting it to be varied without necessity, even by consent of his heir. But where it is incapable of being literally acted upon, or its literal performance would be unreasonable, a decree will be made by the court of Chancery for its execution *cy-près*, that is, in some method conformable to the general object, and adhering as closely as possible to the specific design of the donor. The doctrine of *cy-près* is also applied in some cases of entail.

CYRENAICS, *si-ren-ai'-iks*, the name of a sect of ancient philosophers, whose founder, like that of the Cynics, had been a disciple of Socrates, being Aristippus, a native of Cyrene, in Africa, after which city his followers were called Cyrenaics. Unlike Antisthenes, however, he was born of illustrious and wealthy parentage, and had accustomed himself to every kind of pleasure. According to him, the sum of life was made up of pleasure and pain; the one to be sought after as good, the other to be avoided as evil. The chief good, according to him was the greatest number of agreeable perceptions; and the true philosopher was one who actively and successfully pursued pleasures, neither regretting the past nor caring for the future, but remaining master of himself, "possessing pleasures, but not possessed by them." Every act was regarded to be in itself morally indifferent, and only to be viewed as it produced pleasure or pain to the individual. True temperance, he argued, consists not in abstaining from pleasure, but in being able to enjoy it with moderation. The chief successors of Aristippus were Theodorus, Hegesias, and Anniceris, each of whom became the founder of a sect known respectively as the Theodorean, Hegesian, and Annicerian schools. As Cynicism was the forerunner of Stoicism, so Cyrenaicism paved the way for Epicureanism.

CZAR, *zar*, a title of the Emperor of Russia, derived from the old Slavonic language, and probably originating in the Latin *Cæsar*. Up to the 16th century, the principal rulers of the Russian provinces were called grand-dukes. Several adopted the title czar; but Ivan II., Wasiljewitch the Cruel, was the first who was solemnly crowned czar, in 1547. After him, all the monarchs of Russia called themselves czars of Moscow; and after the conquest of Little Russia and Smolensk, they took the title of czars of all the Russians. The rank of imperial dignity was not granted to the czar by the European powers until the reign of Peter I. He called himself Emperor, and the empress Imperatress. The ordinary title of the empress is Czarina. The emperor Paul I., in 1799, gave the title Cæsarewitch to his second son. All the sons of the czar are styled grand-dukes.

CZECHS, *sets*, a branch of the great Slavic people. In the 5th century, they migrated from Quathia, and settled in the country now known as Bohemia. The name was subsequently applied to the whole Slavic population of Bohemia.

D.

DACOITS, *da-koits'*, hereditary robbers of North India, were formerly employed in war by native sovereigns. Although great efforts have been made to suppress them, they are not quite extinct in some parts of Bengal and in Burmah.

DÆMON. (See DEMON.)

DAGON, *daï-gon* (Heb., *pag*, a fish), the name of a god of the Philistines, worshipped at Ashdod, Gaza, and elsewhere. Difference of opinion exists as to the form of this idol; but the general opinion, that it had the head and hands of a man, while in the lower part it resembled a fish, is confirmed by representations on the Assyrian monuments discovered at Khossabad. Dagon was worshipped by the Assyrians under the name of Oannes. The form of the figure alludes to the maritime position and piscatorial pursuits of the Philistines. Some derive the name from the Hebrew *dagan*, corn, and believe him to have been the god of agriculture. In 1 Samuel v., we have an account of the fall and destruction of this idol before the ark of the Lord.

DAIRI, *da-e-ré*, the title of the former ecclesiastical sovereign of Japan, who had his capital at Miako.

DALMATIC, *dal-mat'-ik*, is the name of a long white gown with sleeves, formerly worn by the Dalmatians, and, since the time of Pope Sylvester I., by the deacons of the Roman Catholic Church, over the *alba* and *stola*. It was formerly also worn by the German emperor at the time of his coronation.

DAM, in Law, a boundary or confinement; as to *dam up*, or *dam out*, *infra damnum suum*, within the bounds or limits of a man's own property or jurisdiction.

DAMAGE, *dam'-aj*, (Ang.-Nor.), in Law, signifies, generally, any hurt or hindrance which a man receives in his estate; but in a particular sense, it is applied to what the jurors are to inquire of and bring in when any action passeth for the plaintiff. *Damages*, are a species of property acquired and lost by suit and judgment of law, and are given to a man by a jury, as a compensation and satisfaction for some injury sustained; as for battery, false imprisonment, slander, trespass, and otherwise.

Damages-Passant, or *Faisant*, *dam'-aj fait-ant*, is where a stranger's beasts are found in another person's ground without his leave or license (and without the fault of the possessor of the close, which may happen from his not repairing his fences in cases where he is bound by law to fence), and there doing damage, by feeding, or otherwise, to the grass, corn, woods, or the like.

DANEBROG, ORDER OF, *dane'-brog* (Danish, *bnæg*, cloth or banner). An order instituted in 1219, by King Waldemar. The order is conferred as a recognition of civil or military service to the State. The decoration is a cross of gold, enamelled with white, and suspended by a white ribbon embroidered with red.

DANEGLT, *dain'-yelt* (Sax., *Dane*, and *gelt*, money), was an ancient annual tax of the Anglo-Saxons, levied on every hide of land for

the purpose of defending their coasts against the Danes.

DANE-LAGH, OR DANE-LAW, *dain'-law*.—After King Alfred had overthrown the Danes under Guthrun, at Ethandune (878 A.D.), a treaty was entered into by which the Danes were bound to evacuate the whole kingdom of Wessex, from Somerset to Kent. They were, however, allowed to occupy the greater portion of the east coast of England, including the whole of Northumbria. The portion of territory which they occupied was called *Dane-lagh*, or *Dane-law*; because they were not governed by English, but by Danish law. The treaty was held in force till the Norman conquest.

DANIEL, BOOK OF, *dan'-yel*, is the twenty-seventh in order of the books of the Old Testament, and is the work of the author whose name it bears, at that time a captive in Babylon, to which country he was taken when very young. The book is partly historical and partly prophetic. The first six chapters are historical, and speak of Daniel in the third person; the last six contain visions, which Daniel relates in the first person. The book has been aptly described as the Apocalypse of the Old Testament. Many of the prophecies are delivered in terms so plain and circumstantial, that many have been led to deny their authenticity, and to maintain they were written after the events had taken place. Porphyry, in the 3rd century, affirmed that the book was composed as recently as the time of Antiochus Epiphanes, and that therefore it narrated only past events; and he has had many followers in more recent times, and even in the present day. But the majority of Biblical critics and commentators agree that the book is exactly such as one living at the time, and in the circumstances of Daniel, would have written, and is as different as possible from anything that we could conceive written during the Maccabean period. It is strong evidence in favour of the authenticity of the book that the prophet Ezekiel, unquestionably contemporaneous with Daniel, twice refers to him as one of the wisest and best of men; and recent discoveries in Assyria, as well as the notes of ancient writers, confirm in many important points the allusions in the book. The testimony of Christ himself as to the real and prophetic character of the book when he says, "When ye, therefore, shall see the abomination of desolation, spoken of by Daniel the prophet, stand in the holy place," &c. (Matt. xxiv. 15).

Apocryphal Additions.—In the Greek translations of the book of Daniel are various episodes not found in the Hebrew text. The most important of these are contained in the Apocrypha annexed to some old editions of the English Bible. (See APOCRYPHA.) They are "The Song of the Three Holy Children," "The History of Susanna," and "The History of Bel and the Dragon."

DAUPHIN, *do-san* (Lat., *delphinus*), the title borne by the heir-apparent to the crown of France before the Revolution. It was originally held by the counts or lords of Vienne, in the province of Dauphiné. Humbert II., the last of these lords, died without issue, in 1349, and bequeathed his possessions to Charles, the grandson

of Philip of Valois, on condition that the heir-apparent to the throne of France should bear the title of Dauphin of Vienno. The rights conferred by Louis IX. upon the Dauphin were almost regal; but after his reign they were gradually lessened, and the title became a mere honorary distinction. It was abolished altogether after the revolution of 1530. The dauphin's crown was an arch of gold set round with eight fleurs de lis, closed at the top with four dauphins, their tails conjoined in a fleur de lis.

DAY, in Law, includes the whole twenty-four hours, from midnight to midnight, without reference to light or darkness. Unless there is some agreement stating otherwise, an obligation to pay on a certain day is discharged if the money is paid before twelve o'clock at night. A *lawful day* is a day on which a writ can be executed without legal impediment. All days, except Sundays and fast-days appointed by Government, are lawful days. Criminal warrants, however, can be granted and executed both on Sundays and fast-days. All contracts entered into by persons in their ordinary calling are void if made on a Sunday. Christmas-day, Good Friday, and Easter-day, in England, stand on the same footing as fast-days appointed by Government. *Days of grace*.—When a bill becomes due, in general three days are allowed for its payment beyond the time marked on the face of it. These additional days are allowed by mercantile custom, and protected by the laws of the United Kingdom; they are called days of grace. When the third day of grace falls on a Sunday or fast-day, the bill is considered due the day before, if on a bank holiday, the day after.

Biblical Day.—The term day is often used by the sacred writers for an era, or period of indefinite length. It is in this general sense, perhaps, that the word is used in the Mosaic description of the creation. In the prophecies of Daniel, a day is generally understood by the most careful commentators to mean a year. A day's journey was from 15 to 20 miles; a Sabbath day's journey about three-quarters of a mile, originating, probably, in the distance between the people and the ark, when the Jordan was crossed under the leadership of Joshua.

DAYS MAN, an arbitrator, or umpire, is a term once common in England, and still in use in some of the northern countries. The word is used in this sense in the book of Job (ix. 33).

DEACON, *de-kon* (Gr., *diakonos*, a servant or minister), is used in the New Testament for any one that ministers in the service of God, and it is also sometimes used in this sense by ecclesiastical writers, when it includes bishops or presbyters as well as deacons; but it is now generally employed to designate the third or lowest of the three orders in the priesthood of the church, or the lay assistant to the minister, and manager of secular affairs in dissenting communities. The apostles at Jerusalem selected seven deacons, who taught and baptised. The primitive deacons took care of the secular affairs of the church, received and disbursed moneys, kept the accounts, and provided everything necessary for its temporal good. In the primitive church, it formed part of the duties of deacons to take care of the holy table, and the ornaments and vessels appertaining thereto, and to receive the oblations of the people and present them to the priest. In some churches they read the Gospel in the communion-service, and ministered the bread and wine to the people in the eucharist; they also

baptized, and, with the bishop's license, sometimes preached. They were also wont to direct the people in public worship, using certain known forms of words to give notice when each part of the service began; and they sometimes represented the bishop in general councils. The Church of England enjoins that "none shall be admitted a deacon, except he be twenty-three years of age, unless he have a faculty." In the present day, the more peculiar secular duties of this officer have devolved chiefly upon churchwardens, and the deacon is an ordained clergyman, who may celebrate matrimony and the burial of the dead, and, in fact, perform all the ordinary offices of the Christian priesthood, except consecrating the elements in the eucharist and pronouncing the absolution. He cannot, however, take any benefice or hold any ecclesiastical promotion: for such, it is requisite that he take priest's orders. (See CHURCH OF ENGLAND.) In Presbyterian churches, generally, the office of deacon is merged in that of elder; but in the Free Church of Scotland and some others there are, in addition to elders, deacons who are ordained to take charge of the funds of the church. In the Baptist and Congregational churches, on the other hand, they perform the duties both of elders and deacons, and, besides attending to the poor, distribute the elements in the sacrament, and assist the minister with their counsel and advice. There are no deacons in the Wesleyan churches, the duties being performed by stewards and class leaders.

Deacon of a Trade.—In Scotland, various trades and crafts elected presidents or deacons, one of whose duties was to test the work of apprentices, previous to their being admitted to the freedom of the trade; and previous to the passing of the Burgh Reform Act (1 and 4 Will. IV. c. 76), these deacons represented the trades in the town councils. In Edinburgh and Glasgow, however, the deacon convener of the trades is still a member of the town council.

DEACONESSSES.—There were deaconesses in the primitive church, and this order, though generally disused in the Western church in the 5th century, continued in the Eastern until the 12th. The office has been recently revived in Germany. In 1853, some deaconesses were appointed in the English diocese of Ely; and in 1861, the Diocesan Deaconesses Institution was established in London.

DEAD, PRAYERS FOR THE.—The practice of praying for the dead was certainly practised as early as the beginning of the 3rd century; and is retained in the Roman Catholic Church, but renounced by the Church of England.

DEAN, *deen* (Fr., *doyen*; Lat., *decanus*), is an ecclesiastical dignitary in cathedral and collegiate churches, being the head of the chapter of canons or prebendaries, and forming, together with them, a council to advise the bishop in the affairs of his see. In the ancient monasteries every ten monks were subject to one, called the *decanus*, or dean, from his presiding over ten; and every hundred had another officer, who was in the same way called *centenarius*, from the Latin *centum*, a hundred. The business of the dean was to exact every man's daily task, and to bring it to the *acomonus*, or steward of the house, who himself gave a monthly account to the father, or head of the monastery. In England there are, properly speaking, three classes of ecclesiastical presidencies to which the title dean belongs—namely, deans of cathedrals, rural deans, and deans in peculiars.

Deans in Cathedral and Collegiate Churches preside over the chapter of canons or prebendaries, forming the council of the bishop. Anciently the deans were elected by the chapter; but now the crown, as in the election of bishops, issues a *compte d'ordre* to the chapter, naming the person that they are to appoint. In the new bishoprics founded by Henry VIII., the dean is named by letters patent only. The dean and chapter jointly elect the bishop.

A **Rural Dean**, was originally a clergyman, and who exercised a superintendence over the clergy of a rural deanery, or district of ten parishes. By degrees this office fell into disuse, and its duties came to be exercised by the archdeacon. Of late, however, the office has been revived.

Deans in Fovulars, are the chief officers of certain peculiar churches or chapels, who, by ancient usage, are entitled to the title dean; as, the dean of the Arches, the dean of St. George's, Windsor, the dean of the King's Chapel, the dean of Battlo, the dean of Boeking, &c.

Chapel Royal, Scotland.—The deans of the chapel royal in Scotland are three clergymen of the established church, who are appointed by the Crown, and whose duties are limited to preaching an occasional sermon before her Majesty when in Scotland, and attending at the election of the representative peers. The emoluments of the office are from £500 to £800 annually to each of the deans; but recently the appointments have been bestowed upon professors in the university, whose chairs were only slightly endowed.

Dean of Faculty.—In Scotland, the president of the incorporation of Advocates or Barristers in Edinburgh, is styled Dean of Faculty. He is elected annually, but is usually re-elected until he is promoted to the bench.

Dean of Guild, in Scotland, is the name of an officer who is at the head of the gild or mercantile body of a municipal burgh. In former times his powers were very considerable, and he acted as judge in commercial causes within the burgh. He was also usually a member of the town council. His principal duty is now to see "that buildings within the burgh be agreeable to law, neither encroaching upon private property nor on the public streets or passages, and that houses in danger of falling be thrown down." In Edinburgh, there is a Dean of Guild Court, consisting of a council of merchants and tradesmen chosen annually.

DEATH.—It is not to be wondered at that an event so impressive and so deeply interesting to all should have excited the attention of every people, and led them to form very different ideas regarding it. It is indeed remarkable that the Greeks, whose conceptions of an after-life were so gloomy, should have represented death as a pleasing, gentle being; while the Christians, whom religion teaches to look upon death as a release from bondage—a change from misery to happiness—give him a most frightful shape.

In **Mythology**.—By the Greeks the god of death was the offspring of Night and the twin brother of Sleep. During the most flourishing period of the arts in Greece, death was represented on tombs as a friendly genius with an inverted torch, and holding a wreath in his hand; or as a sleeping child, wrapped with an inverted torch resting on his wreath. Sleep was represented in the same manner, except that the torch and wreath were omitted. According to an idea originating in the East, death in the bloom of youth was attributed to the attachment of some particular deity, who snatched his favourite to a better world, an idea expressed in the phrase, "Whom the gods love die young." It was ascribed to Jupiter, if stolen away by lightning; to the Nymphs, if by drowning; to Anacris, if happening in the morning, &c. The representations of death by the Romans were less pleasing than those by the Greeks; and among their fable poets we find death represented under more horrible forms, gnashing his teeth, and mowing his victims with bloody nails. He is sometimes represented as a winged figure, called *Thanatos*, the Prince of the World, and contending with the devil; but he resolves with a kiss those that die in

early youth. The painful representation of death (a skeleton with a scythe), common among Christians, originated in the 14th century. In recent times, however, the ancient idea of death as a beautiful youth has been revived.

In **Theology**, the term death is used in a much wider sense than it is in ordinary language, as is also the word life, to which it is opposed. In theological language, there are three kinds of death—temporal, spiritual, and eternal, as there are three kinds of life, to which each of these is respectively opposed. The first of these is temporal death, or the death of the body; the second is spiritual death, or the natural condition of the soul under the power of sin; and the third, or eternal death, denotes the everlasting perdition of the wicked. As Adam introduced death into this world, so Christ, by his sufferings and death, has brought life. He has taken away the sting and power of temporal death, has introduced spiritual life, and has promised to all that believe and follow Him life everlasting.

DEATH-BED, LAW OF, IN SCOTLAND.—Until recently, a man who has burdened or conveyed away his hereditary estate, to the prejudice of his lawful heir, while suffering from disease of which he eventually dies, was held to have acted thus in consequence of inability to resist importunity in his then enfeebled state. His heir might therefore reduce the deed. The legal tests of the amount of vigour were, survival for sixty days, or unassisted attendance at "kirk" or market, though only accomplished for the evidence of the law itself. Death by accident would, however, validate the will of an already moribund man. This law was abolished by the 34 and 35 Vic. c. 8r.

DEBT, NATIONAL. (See NATIONAL DEBT.)

DEBTOR AND CREDITOR, *de'or*, *kret'it-or*.—The former is one who owes a debt to another, the latter is the person to whom a debt is due. In the early history of every country it will be found that the laws against debtors are much more severe than at a later period of its civilization. In rude states of society, the creditor was not only entitled to seize the goods of the debtor in satisfaction of the debt, but frequently also he had the power of enslaving the person of the debtor and all who were dependent upon him. We find evidence of this in the early laws of Greece and Rome. The right of a creditor to sell his debtor was abolished at Athens by Solon. At Rome, the debtor was subject to be taken by the creditor to his own house, and there treated in the most cruel manner for sixty days; and if at the end of that time no one stepped forward to release him, he might be sold for a slave. This power of the creditor over his debtor seems to have become practically obsolete, and a milder mode of treatment to have crept in under the emperors. According to the Institutes of Justinian, a debtor was subject only to loss of property for payment of his debts. Among the Jews, while the law of Moses admitted of the person of a debtor being sold into bondage, it also provided for his merciful treatment, and enacted a certain time for his being set free. The poor Hebrew was not to be compelled to serve as a bond-servant, but as a hired servant and as a sojourner, and was to be set free on the year of jubilee, he and his children; and he was to return unto the possession of his fathers. During the feudal period the person of the debtor could not generally be seized for debt, such a proceeding being inconsistent with the duties of military service, to which every man

was bound. This was also the case in England at an early period; suits were commenced by a summons, and if the defendant failed to appear, process was issued for the attachment of his property; but in actions upon contract no further remedy was given, either at the commencement of the suit or after judgment. In actions for injuries accompanied with force, it was, however, permitted to issue process for the arrest of the person. By various subsequent statutes the same remedy was extended to other actions in which there was no force; as actions of account, debt, defence, and actions on the cause. In the court of King's Bench, however, the defendant was, without the aid of these statutes, liable to arrest upon process issued for an alleged trespass, and when arrested he was made to answer for any other cause of action. In the court of Exchequer jurisdiction was obtained by a similar fiction: upon recovery of judgment in any action in which an arrest was allowed upon mesne process, a writ could be issued, called *capias ad satisfaciendum*, whereby the defendant could be arrested and committed to close custody. Important modifications have recently been made in the laws of debtor and creditor. In England, debts under £50 may be recovered in the county courts (see COUNTY COURTS), and the judge has the power of committing a debtor to prison on proof that he has the means, but refuses to pay. There are other courts, such as the Mayor's Court of London and the Court of Passage at Liverpool, which have similar jurisdiction. The Scottish Small Debt Court can deal with debts up to £50. (See BANKRUPTCY, INSOLVENT, IMPRISONMENT, &c.)

DECALOGUE, *dek'-a-log* (Gr., *deko*, ten, and *logos*, word), is literally, the ten words, a sense which the Hebrew as well as the Greek term bears, and is applied to the law of the ten commandments as given by God to Moses on Mount Sinai. Much dispute has arisen as to how the commandments were divided on the two tables. It is generally admitted that the first comprehended our duty to God, and the second our duty to man. According to Josephus, however, there were five commandments upon each table, and two and a half upon each side; and Philo-Judæus adopts the same view. The more general view among Christians is, that the first table contained only the first four commandments, and the second the remaining six. But the Roman Catholics, who throw the two first commandments into one, and split the last into two, have only three on the first table, and seven on the second. The difficulty lies with the fifth commandment ("Honour thy father and thy mother," &c.), whether it is to be regarded as coming under the head of love to God, or to our neighbour: Christians have generally regarded it as belonging to the latter. There are two versions of the Decalogue in the Old Testament, Exodus xx., 2-17, and Deuteronomy v., 6-18. They are substantially the same, except in the reason given for the observance of the Fourth Commandment, which enjoins observance of the Sabbath. In Exodus, the reason is that, "In six days the Lord made heaven and earth, the sea, and all that in them is, and rested the seventh day: wherefore the Lord blessed the sabbath day, and hallowed it." In the Deuteronomy version, it is said, "Remember that thou wast a servant in the land of Egypt, and the Lord thy God brought thee out thence, through a mighty hand and by a stretched-out arm: therefore the Lord thy God commanded

thee to keep the Sabbath day." The version of the commandment as given in Exodus is adopted by the Christian churches.

DECAPITATION. (See CAPITAL PUNISHMENT.)

DECEMVIRI, *de-see'-vi-ri* (Lat., *decem*, ten; *vir*, man), the title of certain magistrates or functionaries in ancient Rome, who were appointed as a sort of commission to draw up a code of laws. Three commissioners were first sent over to Greece, and the principal work of the Decemviri was to collect and digest the information gained by them. After a year's absence, the commissioners returned from Greece, and a violent dispute arose between the patricians and plebeians as to which party the decemviri should be chosen from. The patricians gained the day, and the entire government of the state was entrusted to them during the year for which they were to hold office. This form of government proved very successful, and the state was governed with justice and moderation. On the conclusion of their term of office, a fresh body of decemviri were chosen, and the only one of the previous commission who was re-elected was the notorious Appius Claudius. The new decemviri acted in the most unjust and tyrannical manner. Each of the ten was accompanied in public by twelve lictors, who not only carried the rods, but the axe, the emblem of sovereign power. The plebeians were treated with every variety of contumely and outrage, until the unjust decision of Appius Claudius in the case of Virginia seemed to bring their tyranny to a climax. The decemviri were driven from their office by a popular insurrection, and the tribunes and ordinary magistrates of the republic were again appointed. Besides these extraordinary commissions, there were decemviri chosen for judicial purposes, to preside over and summon the centumviri, and to judge certain causes by themselves. Decemviri were likewise appointed at times to divide lands among the military.

DECLARATION, *dek'-lar-ee'-shun* (Lat., *declaratio*), a legal specification on record of the cause of action by a plaintiff against a defendant. The declaration must state clearly the plaintiff's case in one or more counts, each count generally setting forth a separate cause of action. All irrelevant matter is struck out at the cost of the plaintiff; and if no appearance is made by the defendant after the declaration has been delivered to him or his attorney, the plaintiff may proceed to claim judgment by default.

Declaration, an asseveration made in place of an oath. From time to time statutes have been enacted to enable Quakers, Moravians, and Separatists to make a solemn affirmation that what they say is true, in giving evidence either in civil or criminal cases. False declarations are liable to the penalty of perjury. (See AFFIRMATION.)

Declaration, Dying, a declaration made by a person under the conviction of approaching death. Such declarations are admitted as evidence at a trial, and are often very useful, although, as a general rule, hearsay or secondary evidence is not allowed in English law. In cases of murder, the dying declaration of the victim is always admitted as evidence, if it can be proved that the deceased gave the evidence deliberately, and was in possession of his faculties. (See FURNACE.)

Declaration, Criminal Proceedings.—In Scotland, any statement made by the prisoner before the magistrate is known as his declaration, and may be used as evidence against him; but it must have been made in the presence of two witnesses, who, if necessary, can depose to the manner in which it was taken.

Declaration of Independence.—In June, 1776, the delegates to the Congress of the Colonies, meeting at Philadelphia, appointed a committee to prepare a Declaration of Independence. The members were Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert B. Livingston. The Declaration, drawn up by Jefferson, received the unanimous vote of all the delegates in Congress on the 4th of July.

Declaration of Paris.—A protest signed by the representatives of all the powers present at the Congress of Paris in 1856, and subsequently accepted as a binding engagement by all the other powers, except the United States of America, Mexico, and Spain, for the purpose of settling and defining certain rules of maritime law, in time of war. By this arrangement privateering was abolished, the privileges of the neutral flag were determined, and it was declared that blockades, in order to be binding, must be effective. (See BLOCKADE.)

Declaration of Rights. (See RIGHTS.)

DECOYING OF CHILDREN.—It is a statutory offence, under 9 Geo. IV. c. 31, s. 24, to "maliciously, either by force or fraud, lead or take away, or decoy or entice away, or detain any child under the age of ten years, with intent to deprive the parent, or parents, or any person having the lawful care of such child, of its custody." Every person convicted of such offence is liable to be transported for seven, or to be imprisoned for two years, and, if a male, to be thrice whipped.

DECREE, de-kree' (Lat., decretum, from decerno, I judge), is the decision or order of some competent authority upon some doubtful or disputed point. During the Roman empire it was usual to submit disputed points to the emperors for their decision, which was called *decretum*, and became part of the Roman laws. In the Middle Ages, when the Pope came to be regarded as the highest authority in ecclesiastical matters, his decisions, in like manner, were received as law, and took the name of decretals. (See CANON LAW.) In the law of England the final judgment of a court of equity is usually called a decree; in Scotland it is applied to the final judgment of any of the courts; in the latter country it is also frequently termed a decret.

In Theology, decrees are the settled purposes of the Almighty, whereby He hath from all eternity fore-ordained whatsoever comes to pass. (See PREDESTINATION.)

DECRETAL. (See DECREE, CANON LAW.)

DEDICATION is a religious ceremony, whereby a person or thing is solemnly consecrated or set apart to the service of God and the purposes of religion. The use of dedications is very ancient. In Scripture we meet with dedications of the tabernacle, temple, altars, vessels, persons, and even of the garments of the priests. Under Christianity, dedication is only applied to a church, and is usually called the consecration thereof. (See CONSECRATION.)

Dedication, Feast of, a Jewish feast instituted by Judas Maccabeus in commemoration of the cleansing of the temple and altar after the profanation by Antiochus Epiphanes. The name was also given to a festival observed in the early Christian church on the anniversary of the dedication of any particular church. The practice is said to have been established in England by Gregory the Great, who, in an epistle to Mellitus the abbot, gave injunctions to be delivered to Augustine that he should be allowed liberty on these anniversaries to build booths and feast round their churches, in lieu of the ancient heathen sacrifices. This festival, or wake, as it was called, was long observed with much ceremony; but it ceased to be held about the churches,

but in private houses. A council held at Oxford in 1222 ordained that among other festivals, the day of dedication of every church should be observed within its proper parish. In many places the observance was afterwards transferred to the Sunday following the day of dedication; and in 1536, Henry VIII. enjoined that it be kept in all places throughout the realm on the first Sunday in October. Afterwards the Puritans began to exclaim against it as a remnant of popery; and popular prejudice was excited against it, so that in many parts it was discontinued. It is still observed in some parts of England.

DEED, dede (Sax., dæd), a formal document, on paper or parchment, duly signed, sealed, and delivered. When made by one party only, a deed is called a deed poll; when several parties are concerned, an indenture. A deed poll is cut even, or polled at the edges. The form commences in the mode of a declaration—"I Know all men by these presents, that," &c. The form appropriated to an indenture, or a deed among several parties, is—"This indenture, made, &c., between, &c., Witnesseth," &c. A deed must be signed and sealed by the grantor, and by the grantee also, if any agreement or covenant is entered into by him. The delivery of a deed completes its efficacy, and thence it takes effect. A deed is good although it mentions no date, or has a false or impossible date, provided the real date of its delivery can be proved.

DEEMSTER. (See DOOMSTER.)

DEER-STEALING.—This has always been considered a very serious offence in the eye of the law; but of all kinds of poaching has been looked upon as the most romantic, owing possibly to the Robin Hood ballads, and the very doubtful story about Shakespeare. By 24 and 25 Vic. c. 96, stealing a deer from an enclosed park may be punished by two years' imprisonment, from an unenclosed portion of the park, a fine not exceeding £50.

DE FACTO, de-fak'-to (Lat.), in Law, signifies a thing actually done, that is, done in deed. A king *de facto* is one that is in actual possession of a crown, but who has no legal right to the same; in which sense it is opposed to a king *de jure* (of right), who has a right to a crown, but is out of possession.

DEFAMATION, def-a-mai'-shun (Fr., diffamer, to defame, from Lat., diffamare), in Law, is when a person speaks scandalous things of another, as of a magistrate, whereby the person spoken against suffers in reputation. The party so offending is liable to be punished according to the nature and quality of his offence; sometimes by action on the case at common law, sometimes by statute, and sometimes by the ecclesiastical laws. In some special cases, defamation is punishable in the spiritual courts. (See LIBEL, SLANDER.)

DEFAULT, de-fault' (Fr., défaut), in Law, generally signifies the non-performance of that which ought to have been done. In a special sense, however, it denotes the non-appearance in court at a day assigned. A plaintiff is nonsuited who makes default in appearance in a trial at law; and judgment may be had against a defendant who makes default.

DEFEASANCE, DEED OF, de-fees'-ans, in Law, an instrument which defeats the force or operation of some other deed; and that which in the same deed is called a condition, in a separate deed, is known as a defeasance.

DEFENCE, *de-fens'* (Fr., *defendre*, to oppose or deny), signifies popularly a justification or protection. This was, however, not its original signification, as its French derivation shows; it merely meant an opposing or denying by the defendant of the truth or validity of the plaintiff's complaint. A defence is in reality a general assertion that the plaintiff has no ground of action, which assertion is afterwards extended and maintained in the defendant's plea.

DEFENDANT, *de-fend'-ant*, the party sued in a *personal* action. It is distinguished from *tenant*, the party sued in a *real* action. The term defendant is also used to designate the person indicted or otherwise proceeded against for any crime not amounting to felony.

DEFENDER OF THE FAITH, *de-fen'-der*, a title conferred by Pope Leo X. on Henry VIII. for writing against Martin Luther in 1521. Though subsequently recalled by the Pope, it was confirmed by Act of Parliament, and has ever since been retained by the sovereigns of this country.

DEFENDERS, *de-fend'-ers*, a faction in Ireland, which arose out of a quarrel between two residents of Markethill, near Armagh, in July, 1784. Each was soon aided by a large body of friends, and many battles ensued. On Whit-Monday, 1785, an armed assemblage of one of the parties, 700 strong, called the "Nappagh fleet," prepared to encounter the opposite faction, the "Bawn fleet," but the engagement was prevented. They subsequently became sectarian parties, Catholic and Presbyterian, distinguished as Defenders and Peep o' Day Boys. (See *PEEP O' DAY BOYS*.)

DEGRADATION, *de-gra-dat'-shun* (Lat., *de*, down, *gradus*, a step), is the act of depriving or stripping a person for ever of a dignity or degree of honour. The degradations of a peer, priest, knight, officer, &c., are all performed with divers ceremonies. In the Church of England, a clergyman may be deprived of the holy orders which he formerly had, either summarily by word only, or solemnly, by divesting the party degraded of those robes or ornaments which were the ensigns of his degree. By canon 122, sentence of deposition from the ministry can only be pronounced by the bishop, with the assistance of his chancellor and the dean, if they can conveniently be had, or certain others. In the Romish church, the person to be degraded appears before the priest who is to perform the ceremony in his clerical vestments; those parts of the hands which had been anointed are first slightly scratched with a knife or piece of glass; he is then successively stripped of his sacred ornaments and robes of office, is clothed in a lay habit, and then publicly handed over to the secular judge, who is present to take him under his jurisdiction.

DEGREES OF NOBILITY. (See *NOBILITY*.)

DEHAVITES, *de-ha-vites*, a tribe established in Samaria by the Assyrian King, Esarhaddon, after the completion of the captivity of Israel. They are mentioned by Herodotus as one of the four great nomad tribes of Persia. They were powerful and warlike, originally inhabiting the high places and mountains east of the Caspian Sea, but afterwards scattered through

various countries, serving as mercenary soldiers. They are mentioned by Virgil.

DEIFICATION. (See *APOTHEOSIS*.)

DEI GRATIA, *de-i-grat'-shee-a* (Lat., by the grace of God), is a formula which sovereigns add to their title, and which is taken from an expression of the apostle Paul in the New Testament. It was first used by the clergy in the time of Constantine the Great, as an expression of dependence upon the grace of God, and afterwards the higher clergy came to use along with it the addition, *et apostolicæ sedis* (by the grace of God and the apostolic see). In the time of the Carolingian race the secular princes also assumed it; and in course of time it came to be regarded as asserting something like the divine right of kings and their independence of any earthly power.

DEIPNOSOPHISTS, *dipe-nos'-o-fists* (Gr., *deipnon*, a feast, and *sophistes*, a sophist), was a name given to an ancient sect of philosophers famous for their learned conversation at meals. Athenæus has left a collection of *Ana*, which bears the title of *Deipnosophister*.

DEISCAL, *de-is'-kal*, the name of a ceremony originally used in the Druidical worship of Britain, and consisting of the Druids, accompanied by all the worshippers, proceeding from east to west, according to the course of the sun, three times round the altar. It invariably formed part of the public offices of their religion, and was preserved as a ceremony on various occasions long after Druidism had disappeared. In some parts, even down to a late period, it was customary for the people to testify their respect for their chieftain by performing this ceremony round his person.

DEISM, OR THEISM, *de'-izm* (Lat., *deus*; Gr., *theos*, God), properly means belief in a God. Strictly speaking, the two words are synonymous, but custom has made a distinction between them. In this view a deist is one who believes only in a supreme being, rejecting Christianity and denying revelation. A theist, on the other hand, is applied to one who believes in one God. The first deistical writer of any note that appeared in this country was Lord Herbert of Cherbury, in the 17th century. He was the first to form deism into a system, asserting the sufficiency of natural religion, and hence discarding revelation as useless and unnecessary. Among the more noted of those who have followed in his steps may be mentioned Hobbes, Blount, Toland, Collins, Woolston, Tindal, Morgan, Chubb, Bolingbroke, Hume, Gibbon, and, we may add, Lord Shaftesbury. In France, Voltaire, Rousseau, Diderot, Condorcet, and many others, have rendered themselves conspicuous by their deistical writings. Dr. Clarke distinguishes four kinds of deists:—1. Those who believe in the existence of an infinite and eternal being, who created the world without concerning himself with the government of it. 2. Those who believe in the being and natural providence of God, but deny the difference of actions as morally good or evil, which is merely established by human laws, God taking no concern with them. 3. Those who, having right apprehensions concerning the nature, attributes, and all-governing providence of God, yet consider them as of such a nature that we can form no true judgment nor argue with any certainty regarding them, denying the

immortality of the soul, and alleging that the present life is the whole of human existence. And 4. those who believe in the existence, perfections, and providence of God, the obligations of natural religion, and a state of future retribution, on the evidence of the light of nature, without a divine revelation. (See *INSPIRATION*, *REVELATION*, *RATIONALISM*.)

DELECTUS PERSONÆ, *de-tek-tus per-sō-næ*, a legal phrase expressing a choice of person for some qualification, possessing value in the estimation of one of the parties to a contract; and the individual so chosen cannot transmit his rights and obligations to another without the consent of the person supposed to have chosen him. The rule holds good in partnerships; and in respect of offices of trust, which are not saleable.

DELEGATE. (See *DELEGATION*.)

DELEGATES, COURT OF, *del-e-gāts*, formerly the highest court of appeal in ecclesiastical and maritime causes in England. This court was created by Henry VIII. for the purpose of hearing appeals from ecclesiastical courts, a right which had previously been held by the pope. It was so called because the judges had delegated to them their powers by commission under the great seal. In ordinary cases, it was composed of three common-law judges and three civilians, but in special cases a fuller commission was sometimes issued. This court was abolished by 2 and 3 Will. IV. c. 92, and its powers transferred to the king in council. By 3 and 4 Will. IV. c. 41, and 6 and 7 Vict. c. 38, its powers are now exercised by the judicial committee of the privy council.

DELEGATION, *del-e-gā-shun* (Lat., *delegatio*, from *delego*, I refer, or commit to), is properly the investing one with authority to act for another, and has hence come to be applied to a body of persons deputed thus to act. Before the present constitution of the United States of America was adopted, the persons constituting the congress at Philadelphia were called delegates; and the body of representatives of a state in congress are still called the delegation of a state. In Maryland and Virginia, what in most of the other states is called the House of Representatives is there called the House of Delegates. The name of *delegato* is also given to the representatives sent to the congress of the United States from territories not yet formed into states. In the non-extinct States of the Church, in Venice, and Lombardy, the term *delegazione* was formerly applied to the governing court of a province as well as to the province itself.

"DELICATE INVESTIGATION," an inquiry instituted into the conduct of the Princess of Wales, afterwards Queen Charlotte, the consort of George IV. The inquiry was prompted by the Countess of Jersey, Sir J. and Lady Douglas, and other persons of rank, and was entrusted to a committee of the Privy Council, under a warrant of inquiry, dated May 29, 1806. The members were Lord Grenville, Lord Erskine, Earl Spencer, and Lord Ellenborough. The charges against the Princess were disproved.

DELPHIAN ORACLE. (See *ORACLE* and *PIRÆNE*.)

DELUGE, *del-yūj* (Lat., *diluvium*), is either a partial or general overflow of water, flooding

the land. It is generally applied to that great overflow of water narrated in Scripture, and commonly known as the Flood. This great event is ordinarily calculated to have occurred in the 1656th year after the creation, and 2293 years before Christ. The concise account of this great catastrophe given in sacred writ has given rise to much discussion. Without going into all the points connected with this subject, we may briefly allude to a few of them. Mr. George Smith recently discovered among the Assyrian remains tablets containing an account of the flood, coinciding in many particulars with the Scriptural account. We find in the legends and traditions of most of the earlier races upon the earth (the Chinese, Hindoos, Persians, Greeks, &c.) accounts of a similar catastrophe, sometimes in an allegorical form. Even the Mexicans, Peruvians, and other ruder nations of the new world, are represented as having their traditions of the great deluge. Numerous ingenious and fanciful theories were formerly given forth in order to explain the phenomena of the Deluge; and early geologists believed that they found in the fossil remains imbedded in the earth unquestioned evidence of this universal destruction. So far as the better understood testimony of geology goes, however, we have no evidence that bears directly upon this subject; and some of the ablest scientific and theological students are now disposed to regard the Biblical deluge as partial and local. It is true the language of the narrative in Genesis seems to imply its universality; but similar expressions are used in Scripture in cases where the meaning is evidently limited. For instance, we read that "all countries came into Egypt to Joseph for to buy corn; because the famine was so sore in all lands." In 1 Kings, Obadiah tells Eljahi that "there is no nation or kingdom, whither my lord hath not went to seek thee." In the book of Daniel it is said that "King Darius wrote unto all people, nations, and languages, that dwell in all the earth." It is not to be supposed that these phrases are to be taken literally, and it is not quite unreasonable to suppose that the meaning of the word "all," in the account of the flood, may be subject to a similar limitation.

DE LUNATICO INQUIRENDO, *de-nat-i-ko in-kwe-ren'-do*. (See *INSANITY*.)

DEMAGOGUE, *dem-a-gōg* (Gr., *demōs*, people, and *agōgos*, leader), was applied, in ancient Greece, to such persons as by their abilities had great power in gaining over the mass of the people to their views, and thus obtained great influence in the state. This was its original and proper signification; but it came afterwards to be applied in a bad sense to such as attempted to mislead the people, and gain them over to their own selfish views, and who did not hesitate to resort to deceit and falsehood for that purpose. In its original acceptation it was regarded as a most honourable designation, having been applied to Solon, Demosthenes, and others of the most illustrious men of antiquity; but it is now almost invariably used in a bad sense.

DEMARICATION, LINE OF, *de-mar-ka-ti-shun* (Fr.), in the language of politics, is applied to the line or boundary agreed on by two contending parties, or fixed by a third, regarding some disputed territory. The term originated in the 15th century, when Pope Alexander VI. in order to settle the disputes of Spain and Portugal

on the subject of their Indian possessions, draw an imaginary line through the ocean, defining the possessions of both parties, and to this line the term demarcation was first applied. It has now come to be used in this sense in most of the languages of Europe.

DEMESNE, *de-meen'* (Nor., *demainer*, *de-mayne*, probably from Lat., *dominium*), such lands as were next to the lord's mansion, which he retained in his own hands for the use of his household and for hospitality. At the present day, demesne signifies the right which the owner in possession of lands in fee-simple has in his estate.

DEMETRIA, *de-met'-re-a*, a Greek festival in honour of Demeter, or Ceres, held at seed-time and lasting ten days. It appears to be the same as that generally called Thesmophoria.

DEMIGODS, *den'-o-gods*, in Greek and Roman mythology, a kind of half-gods, an inferior kind of deities, who were regarded as having something earthly in their composition. They were generally the spirits of such men as had been deified, more particularly such of them as were regarded as the offspring of divinities and mortals.

DEMISE, *de-mise'* (Fr., *démise*), a term applied to the conveyance of an estate, either in fee, or for life, or years. The king's death is, in law, called the *demise of the crown* to his royal successor. In England, according to public law, "the king never dies;" for immediately the death of the reigning monarch occurs, the sovereignty passes to his successor; no ceremony or installation is required, the successor becoming monarch by the act of the law itself. Blackstone thus writes of this custom:—"So tender is the law of appearing even a possibility of his death, that his natural dissolution is generally called his demise, an expression which signifies merely a transfer of property."

DEMIURGE, *den'-e-urj* (Gr., *demourgos*, from *demos*, people, and *ermon*, work), literally a workman or handicraftsman, a term employed by the Gnostics to denote a being whom they regarded as the creator of the visible world. He was, in their view, the archon or chief of the lowest order of the spirits in existence prior to the creation of this world; and it was he, they said, who, by contact with chaos, gave to this earth its form and living characters. From him man received his *psyche*, or sensuous soul; while from God, the supreme divinity, he received his higher spirit, or *pneuma*. In this way they attempted to account for the existence of a good and evil principle in man, and for the origin of evil in the world. (See GNOSTICS.)

DEMOCRACY, *de-mok'-ra-se* (Gr., *demos*, and *kratos*, I rule or govern), is usually defined to be a government in which the whole of the people, or a great proportion of them, exercise the sovereign power, either directly or by means of representatives. Among the Greeks, from whom we have received the term, it denoted a government in which the sovereignty was exercised by the great body of the citizens. It was also necessary to a democracy that the majority of the citizens be of the poorer class; for, according to Aristotle, if a considerable majority of the citizens are rich, and exclude the remaining body, who are poor, from political rights, this is not a democracy. A pure democracy is when every

adult male citizen of sound mind has an equal share in the sovereign power. Such a condition could only exist in very small communities, as were the states of ancient Greece; and in modern times we have examples of it in some of the Swiss cantons, where all public business is discussed in a full assembly of the people. It thus became necessary to have recourse to delegates or representatives, elected by the people for the purpose of carrying on the government, and invested with powers for that purpose. So long as these are held responsible to the sovereign body by whom these powers are delegated, this is still a democracy, though it is evidently less pure than the other, as the will of the people is only directly exercised, and is hence liable to be misrepresented or crossed. The principle of democracy is that of equality, and of every member of a community being entitled to a voice in the affairs of that government of which he is a subject. In order to this, however, each one ought to see clearly what the true interests of the state are, and seek to advance them. (See ARISTOCRACY and MONARCHY.)

DEMOCRATS, *den'-o-krats*.—The Southern, or slave-holding party in the great civil war in the United States adopted the name of Democrats; the abolitionists of the Northern States being known as Republicans.

DEMON, *de'-mon* (Gr., *daimon*), was the name given by the ancients to certain spirits or genii, which they regarded as intermediate between gods and men. According to Plato, the name is derived from *daemon*, knowing, in allusion to their superior intelligence. Homer and some of the earlier of the Greek writers applied the term generally to every order of being superior to man; hence the gods were sometimes called demons, and the adjective *daimoniakos* was used to signify divine. In Hesiod we have an express account of the demons, as spirits intermediate between gods and men, being the souls of men who had lived in the golden and silver ages, and of whom there were different orders. According to Plato, the demon is a middle intelligence between the gods and man, watching over, directing, and recording the actions of the latter. In the opinion of some, the celestial deities did not at all interfere in the management of human affairs, but committed it entirely to the care of the demons; and that every mortal at birth received a particular demon, who accompanied him through life and acted as his guiding spirit. According to their influence, demons were distinguished as good and bad—*agathodaimons* and *cacodaimons* (Gr., *agathos*, good, and *kakos*, bad); but in either case they were regarded as carrying out the intentions of the gods, and not as being in any degree hostile or opposed to them. Hence, in its original sense, a demon was not necessarily an evil spirit, an idea which has come to us from the Jews, who were wont to regard the deities of other nations as only embodiments or emissaries of the Evil One. The genii of the Romans were analogous to the demons of the Greeks, though they differed from them in many important particulars. Every individual was believed at birth to receive a particular genius, which accompanied him through life, and conducted him through its various vicissitudes. The genius was represented as enjoying the good things of this life; and hence for one to pinch his appetites was to defraud his genius.

It was generally believed that each person had two geni—*a good and a bad; and as the one or the other prevailed, so was his conduct good or the reverse.* Places and cities, as well as men, were believed to have their particular geni. The origin of the doctrine of demons is to be sought in the East. The Hindoos associated with their supreme deity, Brahma, an innumerable host of messengers or demons, called *deities*; and the Persians still further developed and systematized this doctrine of subordinate spirits. In accordance with the dualistic principle of their religion, they had two kinds of demons—those who were servants of the good principle, or Ormuzd, and were called *Ieds*, or geni of the Light, and those who served the evil principle, Ahriman, and were called the *Dews*, or geni of Darkness. The Jews, at the time of the Babylonish captivity, doubtless became acquainted with the system of the Persians; and to this may perhaps be attributed many of the popular notions that were afterwards held by them on this subject. Among Christian writers demons are simply fallen angels, or devils, as used in the New Testament; and *demonology* is thus a discourse on the supposed nature and properties of such evil spirits, and of the superstitions regarding them. (See MAGIC, WITCHCRAFT.)

DEMONIACAL POSSESSION, *de-mon-i-a-kal*, is one of those questions that has occasioned a great deal of discussion, and which, to Christians, has presented no few difficulties. The question is, whether, when Christ was upon the earth, wicked and impure spirits were permitted to take up their abode in the bodies of human beings, directing, controlling, and tormenting them. Those who hold that this was not the case, maintain that the appearances which characterized those said to be possessed do not differ in any particular from what we observe in certain diseases in the present day; that such beliefs were common to the age and people among whom Christ was; and that he, when speaking of demons, merely conformed his language to their understandings, and spoke so as to be understood by them. On the other hand, it is urged that the appearances were such as showed that the demoniacs were not mere lunatics, or epileptics; that they knew Christ, and acknowledged him to be the Holy One of God; that Christ himself addressed them as unclean spirits; and that the account of the demons entering the herd of swine cannot be accounted for in any other way. The question is beset with difficulties. The Rev. C. Boutell says, in his "Dictionary of the Bible"—"This demoniacal possession was a reality, no less certain than terrible; still it must not be overlooked that it was also a special and exceptional reality, super-added to the sinful infirmity of fallen human nature, distinct from that spiritual action and influence of the Devil—that supreme evil to which all flesh is heir—as well as in unhallowed and unhappy alliance with it."

DEMURRER, in Law, an exception taken by one party to a suit or action to the sufficiency in point of law of the case of the opposite party. (See EVIDENCE and IMPEDIMENT.)

DENIZEN, *den-i-zen* (Welsh; *dinasdyn*, man of the city), is applied to one who is by birth an alien, but who has been made an English subject by letters patent or by certificate of the home secretary of state. Though he enjoys

more privileges than an alien, he is not on an equal footing with a natural-born subject. He cannot hold any office of trust or receive a grant of lands from the crown. He may hold lands by purchase, which an alien cannot, but he cannot take by inheritance, neither can his issue before denization inherit to him. (See NATURALIZATION.)

DENOMINATIONS, THE THREE, *de-nom-e-nai'-shuns* (from Lat., *denomino*, I name), a term applied to an association of dissenting ministers residing in and about London, organized in 1727, and which possesses the privilege of presenting addresses at court. The three denominations are the Presbyterian, the Independent, and Baptist. The origin and objects of this body are involved in some obscurity. On presenting their address on the accession of a new sovereign, the whole body are introduced, and have the honour of kissing hands; on other occasions they present their addresses by deputation of about twenty, who are received in the Royal closet.

DEODAND, *de'-o-dand* (Lat., *Deo dandum*, given to God), was a term applied to a personal chattel which had occasioned the death of a man without the default of another, and which was, by the law of England, forfeited to the crown, in order to be applied to pious uses, or distributed as alms by the king's almoner. According to Blackstone, the custom was designed, in the blind days of Popery, as an expiation for the souls of such as were snatched away by sudden death; but it seems more probable that it is to be imputed to that natural horror which one feels at whatever has occasioned the death of a human being; or it may have been intended to teach caution to owners of cattle or implements which were attended with danger. The custom was also a part of the law of Moses; and similar regulations are to be found in the laws of most nations. Deodands were abolished in this country by 9 and 10 Vic. c. 62.

DEONTOLOGY, *de-on-tol'-o-je* (Gr., *deon*, due, and *logos*, a discourse), properly signifies the science of duty, and expresses well what is commonly known as ethics, or moral science. It has, however, been adopted by Bentham and his followers to designate their own particular doctrine of ethics.

DEPARTMENT, *de-part'-ment* (Fr., *département*), is a territorial division of France, which was introduced in 1790, at the instigation of Mirabeau. Previous to that time France was divided into provinces; but these were looked upon as too aristocratic by the revolutionists, and a new division was effected. The great object was to render them nearly equal to a certain average of size and population, so that the more populous departments are generally the smallest; but the rule was not uniformly adhered to. The names were chiefly taken from the rivers, mountains, or other prominent geographical features. The number of old provinces was thirty-four, and the number of departments formed was eighty-three. Afterwards, under Napoleon, the number was increased to one hundred and thirty; but afterwards, the number was eighty-five. Three new departments were formed out of the newly annexed territory of Savoy and Nice, and one, the Bas-Rhin, lost after the German war, making the number at present eighty-seven. Over each department is an officer called a prefect.

appointed by the government, and a *conseil de préfecture*. The departments are subdivided into *arrondissements*, each of which is under a sub-prefect. *Arrondissements* are again subdivided into cantons, and these into communes, corresponding in some measure to our parishes.

DEPORTATION, *de-por-tai'-shun* (Lat., *deportatio*), a kind of banishment in use among the Romans, in virtue of which a condemned person was sent to a foreign country, his estate confiscated, and himself deprived of the rights of a Roman citizen. During the French revolution, deportation was resorted to in lieu of the guillotine, and many political offenders were in this way got rid of. The punishment was revived after the establishment of the Second Empire, and a number of troublesome persons were removed to South America or Algeria. It ranks third in the order of punishments; capital punishment, and condemnation to the galleys or public works, for life, being the two highest.

DEPOSITION, *dep-o-zish'-un* (Lat., *depositio*), the testimony of a witness put down in writing by way of answer to interrogatories exhibited for that purpose. Informations upon oath, and the evidence of witnesses before magistrates and coroners, are reduced into writing in the words used by the witnesses, or as nearly thereto as possible. Depositions are not taken in evidence if the witnesses who made them can be produced; but if the person who made the deposition dies or becomes insane, or is beyond the jurisdiction of the court, his deposition is then read in court, as the best evidence obtainable.

DEPOSITION, in the Church of Scotland, is the depriving a clergyman of his ecclesiastical dignity and of the temporalities of his benefice, in consequence of immoral or scandalous conduct, or of holding doctrines contrary to the standards of the Church. Usually, proceedings are commenced in the presbytery within whose bounds the clergyman officiates; but an appeal lies against its judgment to the General Assembly. He may afterwards be restored by the General Assembly to his position as a minister, but he cannot be restored to his benefice.

DEPÔT, *de-po'* (Fr., *dépôt*), the name given to any place in which naval and military stores are deposited; but it is more particularly applied to the town or barracks which form the headquarters or home station of any regiment the main portion of which is serving abroad. Here the records and books of the regiment are kept, and one or two reserve companies are stationed, which are called *dépôt* companies. All recruits and young officers appointed to the regiment are sent to the *dépôt* to be drilled, and to learn their duty before being sent out as reinforcements to the regiment wherever it may be stationed abroad. The *dépôt* system was introduced into the British service in 1825.

DEPRIVATION, *dep-ri-va'-shun* (from Lat., *de*, and *privo*, I take from), in Ecclesiastical Law, is the removing a person from some degree, dignity, or order in the Church, and the depriving him of his ecclesiastical preferments. In all cases of deprivation, where a person is in actual possession of a benefice, these things must occur:—1. The party must be cited and admonished to appear; 2. a charge must be given against him by way of libel or articles; 3. a competent time must be assigned for his proofs and interrogato-

ries; 4. the person accused shall have the liberty of counsel to defend his cause, to except against witnesses, and to bring legal proof against them; and 5. there must be a solemn sentence read by the bishop, after hearing the merits of the cause and the pleadings on both sides. Incontinence, drunkenness after admonition, and gross scandal, are deemed sufficient grounds for deprivation, when proved to the satisfaction of the court; also disobedience to the orders and constitutions of the Church; conviction of treason, murder, or other felony, by a temporal court; or of perjury, either in a temporal or ecclesiastical court.

"DE PROFUNDIS," *de-pro-fund'-dis* ("Out of the depths"), the first words in the Latin version of the 130th Psalm, which form a portion of the burial service of the Roman Catholic Church. The chant is very tender and solemn.

DEPUTATION, *dep-u-tai'-shun* (Lat., *deputatio*), is a number of persons selected in order to represent the views of a larger body or company on any particular question, to lay their case before some person of influence or in office, or to act for them in any particular affair.

DEPUTIES, CHAMBER OF, *dep-u-tees*, was, under the French monarchy, the lower of the two legislative chambers in that country. It consisted of 430 members representing the 86 departments, and holding office for three years. Each member was required to be at least 30 years of age, and to pay annually, of direct taxation, 500 francs. The right of election was vested in persons 25 years of age, and paying 200 francs of direct taxation; lists of such persons being made out annually by the mayors of the several communes, and revised by the prefect. The Chamber of deputies was composed of three great divisions—the *côté droit*, *côté gauche*, and the *centres*. The *côté droit*, or right side, was to the right of the president's chair, and consisted of such members as were inclined to support the royal prerogative. The *côté gauche*, or left side, was occupied by those that usually supported popular measures; while those persons who generally supported the ministers occupied the *centres* (*centre droit* and *centre gauche*). The constitutional monarchy and representative government of France being overthrown by the revolution of 1848, a National Assembly was instituted, the members of which were elected by ballot and a suffrage all but universal. The National Assembly was abolished in 1851, and the year following a new form of government was established. Corresponding to the Chamber of Deputies under the old régime was the *Corps Législatif*, or legislative body, composed of 201 members, in the proportion of one deputy to about every 35,000 electors in each of the departments. The Chamber of Deputies is now one of the two legislative bodies, the other being the Senate. (See SENATE.) It is elected by universal suffrage. Every *arrondissement* elects one deputy, and if its population is in excess of 100,000, an additional deputy for each 100,000, or portion thereof. There are 532 members in the Chamber of Deputies, and the only requisite for a deputy is to be a citizen, and twenty-five years old. A Deputy receives payment for his services, equivalent to \$500 a year. The President of the Republic can, with the consent of the Senate, dissolve the Chamber of Deputies, before the legal expiration of its term.

DEPUTY, *dep'-n-ti*, is one who is appointed in the place of another, and who exercises the power that properly belongs to him. The appointment of a deputy does not free the principal from responsibility.

DERBY ADMINISTRATIONS, *dar'-be*. The Earl of Derby became Prime Minister, after the resignation of Lord John Russell, on the 21st of February, 1852, but resigned on the 17th of December, having been defeated on the Budget. The Earl of Derby again took office, on the 25th of February, 1858, and retained it until June 11, 1859, in consequence of a vote of want of confidence. A third Derby Administration was formed July 6, 1856; but Lord Derby resigned on account of ill health, February 25, 1868.

DERBYITES, *der'-be-ites*. (See **PLYMOUTH BRETHREN**.)

DERELICT, *der'-e-lict* (Lat., *de*, and *re-linquo*, I leave or forsake), in Law, is a term applied to such goods as are thrown away or relinquished by the owner. A ship which has been wrecked is derelict, if the master and crew shall have abandoned her, without hope of recovery. (See **SALVAGE**.) In the case of lands gained from the sea, the law holds, that if this gain be by small and imperceptible degrees, it shall go to the owner of the land immediately behind; but if it be sudden and considerable, it belongs, by common law, to the crown. In the same way, in the case of an island rising in the sea, it is held to be the property of the crown, though the civil law gives it to the first occupant.

DERVISH, *der'-vish* (Persian, a poor person), is employed like the corresponding Arabic word *fakir*, to denote a particular class of persons in Moslem countries. There are many different brotherhoods and orders of dervishes, who are generally named after their founders; and, according to tradition, their origin dates from the earliest times of Islam, but they probably arose at a much later period. They mostly live in richly-endowed convents called *Tekkies* or *Changahs*, and are under a chief, who has the title of sheik or pir—i.e., elder. They are generally allowed to marry, but are obliged to sleep one or two nights a week in the convent of their order. Among some of the orders a part of their religious exercises consists in dancing and turning round with great velocity, while others subject their bodies to the most cruel tortures. Though they seem generally to lead very worthless lives, they are regarded with great awe and veneration. The best-known orders are the *Bektashis* (established in 874), *Kadris* (1165), *Bektaji* (1182), *Mevlevis* (1273), *Nakshibendis* (1319), *Baktashis* (1357), *Rushensis* (1533), *Shemamis* (1601), and *Jematis* (1750).

DESCENT, *de-sent'* (Lat., *descensus*; Fr., *descent*, in which way the term is usually spelt in all old law-books), the title whereby a man, on the death of his ancestor, obtains the inheritance as heir-at-law. Descent is defined in the interpretation clause of the 3 and 4 Will. IV. c. 106, as "the title to inherit lands by reason of consanguinity, as well when the heir shall be an ancestor or collateral relation, as where he shall be a child or other issue." (See **HEIR**, **INHERITANCE**.)

DESERTER, *de-ser'-ter* (Lat., *deserere*, to abandon), the name applied to any soldier or sailor who absconds from his regiment or ship for

the purpose of avoiding the duties which he has consented to discharge for a certain period. Desertion is punished by imprisonment and flogging; but the number of lashes allowed to be awarded by court-martial is not to exceed fifty. It involves the loss of additional pay and pension, good-conduct money and stripes, and rank as an uncommissioned officer. If a soldier or sailor is merely absent without leave for a short period, the breach of discipline committed does not amount to desertion, and is punished by loss of pay for the time he is absent, and confinement to barracks or extra drill. Any one who induces a soldier or sailor to desert is liable to penal servitude for life. The crime of desertion was formerly punished by death; and it is only since 1867 that the custom has been abandoned of branding the deserter on the breast or shoulder with the letter D.

DESSERTION, *de-ser'-shun*, in Marriage.—Till recently, the law of England made no provision for a wife's obtaining redress for wilful desertion by her husband; but by 20 and 21 Vic. c. 85, and 21 and 22 Vic. c. 108, desertion by either spouse is made a ground of judicial separation, and provision is made for the protection of property acquired by a wife who has been deserted. (See **DIVORCE** and **JUDICIAL SEPARATION**.)

DESIGNS OF COPYRIGHT.—The first Act granting protection to the inventor of designs was passed in 1787 (27 Geo. III. c. 38), but the law as it now exists was established by Acts passed in the present reign. The Act 1 and 2 Vic. c. 100, repealed all previous Designs Acts. There are in England two distinct rights, founded upon different Acts of Parliament, or the application of designs for ornamental purposes, and copyright on the application of designs for the shape and configuration of articles of utility. The duration of the right in respect of designs for ornamental purposes, varies, according to the articles to which the right applies, from nine months to five years; but the Board of Trade has power to extend the periods according to its discretion. To ensure protection, the design must have been registered at the proper office previously to publication. Copyright in designs for any article of manufacture having reference to some purpose of utility, must also be registered. Provisional registration is permitted, and by that means a copyright for one year is obtained, which may be extended by the Board of Trade; but complete registration ensures a copyright for three years. For provisional registration, a fee of 10s. is paid; for complete registration, a £5 stamp and a £5 fee are required. The London office of the Registrar of Designs is in Whitehall, S.W. It is not necessary that the inventor or proprietor of a design should be a British subject or resident in the United Kingdom. Information respecting existing copyrights can be obtained at the office.

DESPOTISM, *des'-pot-izm* (Gr., *despotēs*, master), a form of government in which the supreme power is vested in the hands of one who is irresponsible or uncontrolled by others. The term is received from the Greeks, among whom it denoted that kind of relationship that subsists between a master and his slaves. But this idea of a despotism is one which could never have any existence in fact. No sovereign has ever been so absolute or despotic as that he could carry out his wishes with a total disregard to

every one else. His power actually depends upon his having the support of a large body of his subjects; and he is compelled to act so as to carry along with him their approval, or, at any rate, not to go in opposition to their wishes. According to some, a despotism may include any number of individuals governing for their own individual interests, to the exclusion of those of the whole community.

DESTINY, *des'-tin-ee* (Lat., *destino*, I fix or appoint), is an appointed or predetermined state or condition; the necessary and unalterable predestined course of events. A belief in destiny or fate has been held by almost every people in every time, and has been usually incorporated in their religious beliefs. Among the ancients it was regarded as a power superior both to gods and men, governing all things irresistibly; for, according to Seneca, the Ruler of all things, in writing the book of destiny, prescribed the limits of his own power. According to the Stoics destiny is a certain arrangement of events which follow each other of absolute necessity, there being no power able to interrupt their connection; and hence every man ought with patience to submit to his fate, which no effort on his part could possibly avert. (*See FATE*.) The doctrine is also held by Mahometans, and, under the name of predestination, by many persons in the Christian church. The questions involved appear to be beyond the power of the human intellect to solve; and Milton represents the angels as discussing them.

DESTRUCTIONISTS, *des-truk'-shun-ists* (from Lat., *destruo*, I destroy), is a name given to a few theologians, who hold a kind of middle scheme between universal restoration and endless punishment, or who maintain that the wicked shall neither be for ever miserable nor finally saved; but that, after undergoing an awful suffering proportioned to their crimes, they shall be utterly annihilated. This doctrine, they maintain, is implied in the scriptural word death, which they hold denotes a termination of suffering; and that eternal death is simply annihilation.

DESUETUDE, *des'-u-ee-tude*, in the Scottish law, a technical term signifying that a legal enactment has been repealed by the establishment of a contrary custom sanctioned by general consent and the lapse of time, not by special enactment in a contrary sense.

DETINUE, *del'-in-ue* (Lat., *detinendo*), the name of a writ which lies against one who, having goods delivered to keep, or wrongfully detained, refuses to restore them.

DEUTERO-CANONICAL, *du'-te-ro* (i.e., belonging to the second canon), a term applied by Roman Catholic writers to what is commonly termed by Protestants the Apocrypha, or the Apocryphal books of the Old Testament. They receive their name from their being regarded as inspired, but not of the same authority as the canonical books proper.

DEUTERONOMY, *du'-te-ran'-o-mee* (Gr., *deuteros*, second, and *nomos*, law), is the fifth book of the Old Testament and the last of what is termed the Pentateuch. This book is supposed to have been written by Moses shortly before his death, and embraces a period of five or six weeks of the fortieth year of the journeyings of the children of Israel in the wilderness. He speaks with the affection and solicitude of an old man

soon to die, and with a freedom, boldness, and vehemence which none could have used but one who had done so much for the people whom he addressed, and one who was anxiously desirous for its future welfare. The tone of the law falls here considerably in the background, and the individuality of the lawgiver and his peculiar relation to the people stand out more prominently. The moral, ceremonial, and judicial laws are repeated, with additions and explanations; and the people are urged to obedience in the most affectionate manner, from the consideration of the endearing promises made to them by God, which He would assuredly perform if they did not frustrate His designs of mercy by their own wilful obstinacy. That no person might thereafter plead ignorance of the divine law, he commanded that it should be read to all the people at the end of every seventh year; and concluded his ministerial labours among them by a most beautiful ode, and by giving his benediction to the several tribes. In the last chapter, which is commonly ascribed to Joshua, we have an account of the last days of Moses; how, from the top of Mount Nebo, he surveyed the promised land; and then, having died in Moab, was buried by God himself, so that no one knew his tomb. This book contains only one prophecy relative to the Messiah, but a number of very remarkable predictions relative to the future of the Jews. Many modern critics, among them Ewald, Riehm, Bleek, and Davidson, believe the book to have been written long after the death of Moses, probably about the middle of the 7th century before the Christian era; and the peculiarities of the language and allusions to places which Moses never saw, or could have seen, lead some writers to suppose that the book was compiled from some version of the previous books of the Pentateuch, with additions and alterations. Other critics, however, assert that Deuteronomy is the most ancient part of the Pentateuch, "the principal quarry out of which the writers of the preceding books drew their materials." (*See PENTATEUCH*.)

DEVIL, *dev'-el* (Gr., *diabolos*, false accuser; Heb., *Satan*, adversary), is the name commonly given in the New Testament to the arch-fiend who is represented as being in constant opposition to God, and the ruler of a host of evil spirits like himself. Originally created good, he and his followers fell into sin, and so became wicked and malicious. Retaining many of his original qualities, he became a powerful instrument for evil. There are various other names applied to the devil in Scripture, as, Apollyon, Abaddon "the serpent," the "prince of the power of the air," the "prince of this world," &c. The popular theology of the Middle Ages made the devil a grotesque malicious personage, adorned with horns, hoofs, and tail; and at a later period, as Armodeus, Mephistopheles, and under other names; devils of various ranks appear in literature, generally as a witty and humorous, but terribly powerful personage. Milton made Satan majestic and highly endowed; fallen indeed, but retaining angelic beauty and intellect.

Devil-Worship.—In the early ages of the Christian Church, when as yet heathen observances were intermixed with crude conceptions of purer truth, sacrifices were sometimes made to the power of evil, and horses, goats, and dogs were offered; and among the hill tribes of India and some of the negro tribes of Africa, the devil, or evil spirit, was propitiated by sacrifices. When we read in the 32nd chapter of the book of Deuteronomy that Moses charged the people with sacrificing

unto devils, probably the worship of false gods is referred to; and, indeed, the context almost intimates so much.

DEVISE, *de-vi-zé* (Fr., *deviser*, to imagine or invent), the act whereby a testator conveys his lands by will, the conveyance of personal property being commonly termed a bequest. (See **WILL**.)

DEVONSHIRE AND PITT ADMINISTRATION.--Formed November 16, 1756, with the Duke of Devonshire as First Lord of the Treasury, and William Pitt (afterwards Earl of Chatham) as Secretary of State, but virtually the Premier. The Ministry was dismissed on the 5th of April, 1757.

DEY, *dai*, is a Turkish title of dignity, now applied only to the ruler of Tripoli, but formerly borne also by the ruler of Tunis (now styled Bey), and, prior to its conquest by the French, by that of Algiers. The word is of doubtful origin.

DICAST, *dik-kast* (Gr., *dikastes*), a functionary amongst the ancient Greeks, who, with his colleagues, was empowered constitutionally to try and pass judgments upon all causes and questions that the laws and customs of his country pronounced capable of judicial investigation. The dicasts of the Attic democratic period, when they were selected from the people, and when they took an oath that they would well and truly discharge their duties, closely resembled the English jury. The conditions of the eligibility of a dicast at Athens were, that he should be a free citizen, in the enjoyment of his full franchise, and over thirty years of age. Six thousand persons were elected for the service every year.

DICTATOR, *dik-tai-tor* (Latin), the highest magistrate in the ancient Roman Republic. The first dictator was appointed about the year 253 A.U.C., or 501 B.C. As the consuls possessed equal authority, and often differed in their opinions, jealousy frequently brought disunion into the government. In order to avoid these evils, the dictatorship was established. The dictator united in himself the power of the two consuls, and the authority of all the other magistrates, except that of the tribunes, ceased as soon as he was appointed. The dictatorship could not lawfully be held longer than six months; but the last dictator held office in 202 B.C., and from that time the constitutional dictatorship disappears from Roman history. The dictatorships of Sulla and Cæsar were entirely different from the former dictatorships.

DICTUM DE KENILWORTH.--An award made at Kenilworth Castle, Warwickshire, between Henry III. and all those barons who had been in arms against him. It contained a composition of five years' rent from the lands and estates of those who had forfeited them in the rebellion.

DIET, *dî-et* (Ger., *reichstag*; Du., *ryksdag*; Dan., *rigsdag*), is derived from the Latin *dies*, "a day," and is properly the day of the empire. It is applied to the principal national assembly of various countries of Europe. Under the old German empire, the emperor summoned annually two regular diets, which, after 1547, met regularly at Ratisbon, besides extraordinary ones on special occasions. The emperor and the diet exercised all the prerogatives of sovereignty, levying taxes, enacting laws, declaring war, and

making peace. The diet was composed of three chambers:—1, the chamber of Electors; 2, that of the Princes, which was divided into two sections—the spiritual and temporal; 3, the chamber of the Imperial Cities, divided into the Rhenish and Swabian benches. Each of the chambers deliberated separately; but then the two first met together, and decided definitely on any proposition, which, when ratified by the emperor, became a decree of the empire. The emperor could refuse his ratification, but could not modify the decisions of the diet. In 1806, the diet was removed to Frankfort. (See **CONFEDERATION OF THE RHINE**.)

Extraordinary Diets of the Old German Empire.—In 1180, the Diet of Wurzburg deposed Henry the Lion, Duke of Brunswick. In 1467, the Diet of Nuremberg divided the States into the college of electors, the college of princes, and the college of imperial towns. In 1521, the Diet of Worms summoned Luther to recant, and he refused. In 1529, the Diet of Spire prohibited the spread of the reformed religion and occasioned the protest, which gave the name of Protestants to the Reformers. In 1547, the emperor, Charles V., summoned the Diet of Ratisbon to reunite the princes of Christendom and secure their co-operation against the Turks. In 1547, the Diet of Ratisbon was summoned for the purpose of re-uniting the Protestants with the Papists, who were unable to agree respecting twenty-two articles of faith submitted to their consideration by the Pope's legate.

Austrian and Hungarian Diets.--German Austria, or Austria Proper, has 17 provincial diets, representing the various states of the monarchy, and competent to make laws concerning local administration, particularly those affecting county taxation, the cultivation of the soil, educational, church, and charitable institutions and public works. The Reichsrath, or Parliament, consisting of two houses is sometimes styled the Central Diet; and the term diet is also applied to the Hungarian Parliament, which consists of two chambers—the House of Magnates and the House of Representatives.

DIEU ET MON DROIT, *dieu(r) as mawr(g)* *drwar* (Fr., God and my right), the motto of the royal arms of England, first assumed by Richard I., to intimate that he held his sovereignty from God alone, and not in vassalage to any man. It seems to have subsequently been dropped, but was afterwards assumed by Edward III., and was continued (except during the reign of Elizabeth), without interruption, to the time of William III., who used the motto *Je maintiendrai*, though the former was still retained upon the great seal. After him, Queen Anne used the motto *Semper eadem*, which had been used before by Elizabeth; but, since her death, *Dieu et mon droit* has continued to be the royal motto.

DIGEST, *dî-jest* (Lat., *digestus*, put in order), is a name often applied to the Pandects of the civil or Roman law. It was compiled from the works of previous Roman jurists by Tribonian and others, at the command of the emperor Justinian, and was published in A.D. 529.

DIGNITARY, *dîg-ne-ta-re* (Latin, *dignus*, worthy), in ecclesiastical matters is one who holds cathedral or other prebend, to which jurisdiction is annexed, giving him some pre-eminence over mere priests, or canons. The dignitaries in English cathedrals are, for the most part, the dean, precentor, chancellor, treasurer, and archdeacon; but in cathedrals of the new foundation, the only dignitary is the dean.

DIGNITY, *dîg-ne-te* (Latin, *dignus*), denotes nobleness, or elevation of mind, consisting in a high sense of justice, truth, and propriety, with an abhorrence of all mean and sinful acts. It is

also applied to the titles of honour and authority among men; and these, in this country, are usually divided into superior and inferior, the former comprehending dukes, marquises, and the like; the latter, baronets, knights, &c. They were originally annexed to the possession of certain estates in land, and created by a grant of these estates; and although they have now become little more than personal distinctions, they are still classed under the head of real property. Having thus, in theory at least, relation to land, they may be entailed by the Crown within the statute *De Donis*. No temporal dignity of any foreign nation can give a man a higher title than that of esquire.

DILAPIDATION, *di-lap'-e-di'-shun* (Lat., *dī*, and *lapis*, a stone), in ecclesiastical matters, is the suffering the edifices of a benefice to go to decay, and neglecting to repair them, and is also applied to the committing, or suffering to be committed, any wilful waste upon the glebe, woods, or other inheritance of the church. Dilapidations may be sued for in the spiritual courts; but it is most usual to do so by action at common law. The action may be brought by the successor against the predecessor, if living; or, if dead, against his executors; and against an alien, if made over to him to defeat the remedy for dilapidations. By an Act enforcing ecclesiastical corporations to grant long leases (5 and 6 Vic. c. 108), it is provided that an incumbent shall not be liable for dilapidation occurring during such lease.

DILATORY, *dil'-a-tor-e* (Lat., *dilatō*), denotes literally a delaying or putting off, and is applied, in Law, to certain pleas which are put in merely to delay the suit by questioning the propriety of the proceeding rather than by denying the injury. The effect of a dilatory plea is that, if successful, it defeats the particular action, leaving the plaintiff at liberty to commence another in a better form, if the case should be such as to admit of an amendment of that description.

DILIGENCE, *dil'-e-jens* (Lat., *diligentia*, from *diligō*, I love earnestly), denotes generally a steady application of the mind or body to business of any kind; also care, attention, heedfulness. The law recognises only three kinds of diligence—(1) Common or ordinary diligence, which men in general exert with regard to their own concerns; (2) extraordinary diligence, or that care which very prudent persons take of their own affairs; and (3) low or slight diligence, such as persons of little or no prudence take of their own matters.

In the Law of Scotland, diligence is applied to the warrants issued by the courts for enforcing the attendance of witnesses, or compelling the production of writings. It also denotes that process of law by which a creditor attaches the person, lands, or effects of his debtor, either on execution or in security for his debt. Diligences are either real or personal—real when applicable to real or heritable rights, and personal when for the purpose of securing the person of the debtor or his personal estate.

DIMISSORY LETTERS, *dim'-is-sur-re*, in the early Christian Church, were, at first, letters granted to Christians on their removal from one place to another; but, afterwards, the name came to be more strictly applied to letters granted to the clergy when they were to remove from their own diocese and settle in another, testifying that they had the bishop's leave to depart. In the Church of England, dimissory

letters are such as are given by a bishop to a candidate for holy orders, having a title in his diocese, directed to some other bishop, and giving leave for the bearer to be ordained by him.

DIOCESE, *dī'-o-ses* (Gr., *diōkēsis*, administration.) was originally applied, under Constantine the Great, to those large civil divisions of the empire, each of which was under a prefect, and comprised several provinces, which were under rectors. The government of the Church was adapted to this division, and each diocese was under the spiritual superintendence of an archbishop, the term parish being applied to the charge of a bishop. Now the term diocese is equivalent to bishopric, and denotes the district over which the authority of a bishop extends. (See BISHOPRIC.)

DIPLOMACY, *di-lo'-ma-se* (Gr., *diplōma*), is the act of conducting the official intercourse of separate States, and particularly of negotiating treaties. The term is of recent origin, having only come into general use since the beginning of the present century. Besides attending to the larger operations connected with treaties or alliances, the diplomatist has to keep a vigilant eye on the minor details of international law, to see that these are equitably administered. It is, perhaps, worthy of notice that the term is frequently used in ordinary conversation to denote a certain degree of shrewdness and tact; and conduct which is wily and subtle, without being directly false or fraudulent, is styled diplomatic. Diplomacy owes its first marked development as a science to the Italian republics, who, exposed as they were to the attacks of great military monarchies, cultivated diplomacy with peculiar care. Their politicians, conspicuous among whom was Machiavelli, became celebrated for their unvalued skill in the science; and it was long the practice of the greater States of Europe to employ Italians in negotiation, on account of their supposed peculiar aptitude for the subtleties of the profession. The branches of knowledge which the diplomatist ought to be specially versed in, as given by Baron de Martens, author of *Le Guide Diplomatique*, are as follows:—1. The natural law of nations, and public law in general, which supply the fundamental maxims of all positive legislation in political matters. 2. The positive law of European nations, which is founded on treaties and usages which modify fundamental maxims, and regulate the relations of the different nations, both in war and peace. 3. The public law of the principal states of Europe, which is founded on the laws of each particular state. 4. History and its subsidiary branches, particularly the history of wars, of negotiations, and treaties, which serve to make known the progress and tendency of cabinets. 5. The various political means that may be brought into operation: as concession, retention, coaffiliation, and the like. 6. Political economy, which shows how social wealth, independence, and organization form, distribute, and perfect themselves. 7. The geography and statistics of the separate States. 8. The conduct of negotiations, or the course to be followed in treating of the interests of different States. And 9. The art of composing diplomatic dispatches. Diplomatic agents in Europe rank as follows:—1, ambassadors; 2, envoys extraordinary and ministers plenipotentiary; 3, ministers resident; 4, chargés d'affaires; 5, secretaries of legations and attachés. The duties,

rights, and privileges of these several agents will be noticed under their own heads in other parts of this work. The Secretary of State for Foreign Affairs is in this country the official organ and adviser of the Crown in all communications with foreign powers. He negotiates all treaties, leagues, and alliances with foreign States, either directly with the foreign ministers resident in this country, or through the British ambassadors abroad. Pensions granted for diplomatic services do not disqualify the holder from sitting or voting as a member of the House of Commons.

DIRECTORY, *di-rikt'or-ee*, in the first French revolution, the name given to the highest governing body to whom the executive authority was committed by the constitution of the year III. (1795). It was composed of five members, the first of whom were Barras, Rewbel, Lepeaux, Latourneur, and Carnot. They ruled in connection with the two legislative chambers, called the Council of Ancients and Council of Five Hundred. By the *coup d'état* of the 18th Brumaire (1799), this body and the constitution of the year III. were abolished, and the consulate established.

"DIRECTORY FOR THE PUBLIC WORSHIP OF GOD," a kind of regulation for the performance of public worship, drawn up by the Assembly of Divines in England, at the instance of the Parliament, in 1644. It was designed to supply the place of the Liturgy, or Book of Common Prayer, the use of which the Parliament had abolished. General directions were chiefly given, to be followed with discretion; for the Directory prescribed no form of prayer or manner of external worship, and enjoined the people to make no response except "Amen." The use of the Directory was enforced by an ordinance of the Lords and Commons at Westminster, which was repeated in 1645, and a fine imposed upon such ministers as should read any other form than that imposed by the Directory. The king, in return, by a proclamation dated from Oxford in the same year, forbade the use of the Directory, and enjoined the continuance of the Liturgy. The Scottish Parliament and the General Assembly of the Church of Scotland adopted the Directory. Many of its regulations are still complied with in that church, and it is usually appended to the "Confession of Faith."

DIRECT TAXATION. (*See* TAXATION.)

DISABILITY, *dis-a-bil'i-tee* (Lat., *dis*, and *habilis*, able), is the incapacity of a person to do any legal act. It is said to be absolute when it wholly disables a person—as outlawry, excommunication, attainders, alienage; or partial—as infamy, coverture, idiocy, lunacy, drunkenness, and the like.

DISAFFOREST, or DEAFFOREST, *dis'-af'-for-est*, in Law, is to discharge from being a forest, to reduce from the privileges of a forest to the state of common ground.

DISBANDING, the breaking up of a regiment or corps, when a reduction of the army becomes necessary. It is not resorted to now, the reduction of numbers being effected by lowering the strength of the regiment.

DISBAR, *dis-bar'*, in Law, is to expel from the bar; to degrade a barrister from his rank or position. In England this power is vested in the benchers of the four Inns of court; but it is rarely

exercised, the latest instances being in the cases of Mr. Edwiy James and Dr. Keenly.

DISCHARGE, *dis'-churj'* (Fr., *de-charger*), the term applied to the release of a non-commissioned officer or private in the army from the duties which he has voluntarily undertaken for a certain number of years at the time of his enlistment. (*See* ARMY.) When a soldier is discharged for misconduct, he is degraded in the presence of the whole regiment, by having his stripes, buttons, and facings torn from his uniform, and he is then "drummed out" of the service.

DISCIPLINA ARCANI, *dis-e-pli'-na ar-kai'-ni* (Lat., *disciplina* of the secret), in Ecclesiastical History, is the name given to a system that prevailed in the early primitive church, of concealing from unbelievers, and even from catechumens, certain parts of their worship, and especially the sacraments. Even ministers, when led in their public discourses to speak of the sacraments or the higher doctrines of faith, contented themselves with remote allusions, adding, "the initiated know what is meant." It is difficult to account for the introduction of a system so contrary to the spirit of Christianity. Neander supposes that it took its rise in the church of Alexandria, whence it extended first to the Eastern and afterwards to the Western churches. It appears to have been gradually established after the 2nd century, and is supposed to have reached its perfection during the 4th.

DISCIPLINE, *dis'-ip-lin* (Lat., *disciplina*), signifies literally instruction, cultivation, improvement; but it is applied figuratively to a rule or order of government; a particular mode of life, in accordance with the rules of some profession or society; also chastisement or correction, bodily punishment or mortification. In ecclesiastical affairs it is the putting in force of the laws instituted by any particular church to preserve its unity, purity, and usefulness. (*See* EXCOMMUNICATION.)

DISCIPLINE, BOOKS OF, in the Ecclesiastical History of Scotland, are certain documents drawn up and published for the direction and guidance of the reformed church in that country. The First book of Discipline was drawn up at the request of the General Assembly, 1560, by John Knox, and other eminent Scottish reformers of the time, approved by the General Assembly, and subscribed by the majority of the nobles and inferior barons and gentry composing the privy council of the kingdom. It was characterised by a vigorous exercise of ecclesiastical discipline against all offenders. It is also worthy of remark, as showing the advanced views of the authors of this document, that it takes special notice of the subject of education, viewing it as necessarily connected with religion. The Second Book of Discipline was adopted by the General Assembly in 1578, and, though never formally ratified by act of parliament, it is still regarded as the standard work on matters of order and administration by Scotch Presbyterians. It was prepared at a time when much controversy was carried on between the Church and the State; and it begins by laying down the essential line of distinction between the two powers. The civil power appertains to the civil government of the commonwealth; the ecclesiastical power flows immediately from God and the mediator Jesus Christ, and is spiritual, not having a temporal head upon earth. The office-bearers are to be

admitted by election and ordination, and none are to be intruded contrary to the will of the congregation to which they are to be appointed.

DISCIPLINE, MILITARY AND NAVAL, a general term applied to the rules for regulating the behaviour of soldiers and sailors. Discipline is maintained and directed by the War-office and the Admiralty; and the Articles of War and the Mutiny Act are the principal grounds upon which they act. In practice, the adjutant maintains regimental discipline; and the adjutant-general is in relation to the whole army what the adjutant is to his regiment.

DISCLAIMER, *dis-klam'-er* (Lat., negative *dis*, *clamo*, I call for), a plea in which a party in a suit disclaims or denies all interest in the matter in question. It is more particularly applied to the denial by an alleged tenant of his tenancy, which operates as a forfeiture of the lands to the lord, if he succeed in proving his tenancy.

DISCOVERY, *dis-kuv'-e-re* (Fr., *découvrir*, to discover), in Law, is the act of disclosing or revealing any matter. Bills of discovery were formerly peculiar to the Court of Chancery; but now the common law divisions of the High Court of Justice exercise a similar power, and parties to a suit can be examined as witnesses, and compelled to disclose any matters pertinent to the cause. The judges may also, on application by either of the litigants, compel the opposite party to allow the applicant to inspect all documents in his custody or under his control relative to such action.

DISCUSSION, *dis-kus'-shun* (Lat., *discutio*), in Scots Law, denoted the doing diligence by a debtor against the principal creditor before coming against his cautioners or sureties, which was necessary to be done, unless the latter bound themselves as principals, or renounced the benefit of discussion. By the Mercantile Law Amendment Act (19 and 20 Vic. c. 60), the right of discussion was abolished, and can now only be employed by express stipulations, or in the case of cautioners bound prior to the passing of that Act.

DISESTABLISHMENT. (See CHURCH OF ENGLAND AND CHURCH OF IRELAND.)

DISFRANCHISEMENT. (See FRANCHISE.)

DISHONOUR OF A BILL, *dis-hon'-or*. (See BILL OF EXCHANGE.)

DISMES, *dis'-mes* (Lat., *decima*, or tenths), the name given to the tenth part of the yearly value of all spiritual benefices anciently paid to the pope, who claimed his tithe of the tithes on the principle that the Jewish high priest took tithes of the Levites. This was frequently a cause of dissatisfaction to the English kings, and led to frequent disputes with the papal power. At the time of the Reformation these were annexed to the crown; and in the reign of Queen Anne the tenths and first-fruits were granted for the augmentation of poor livings, under the name of Queen Anne's Bounty. (See BOUNTY, QUEEN ANNE'S.)

DISPENSATION, *dis-pen-sa'-shun* (Lat., *dispensatio*), properly signifies distribution, or the act of dealing out to different places or things. In Theology, it is applied to the dealings of God with his creatures, particularly in some unusual

or extraordinary way. In some cases it has reference to those providential ordinations by which the world was prepared for the gospels. Sometimes it has reference to the system of principles or rites enjoined by divine authority; as, the Mosaic dispensation, the Christian dispensation.

In Ecclesiastical Affairs, a relaxation of the law, or a dispensing with obedience to it in certain cases. The pope, as being above the law, claimed to have the power of dispensing with obedience to it in such cases as he thought fit—a power which was at one time frequently exercised, and led to great irregularities. Dispensations were first granted by Pope Innocent III., in 1202. By 25 Hen. VIII. c. 21, the power of granting dispensations as previously exercised by the pope was transferred to the archbishop of Canterbury, but with the following important restrictions:—(1) That nothing be repugnant to the law of God, for king or subject; (2) that nothing be against the statute 21 Hen. VIII. against pluralities or benefices; (3) nor against the king's prerogative, or laws or statutes of the realm; and (4) that he is limited to such as shall appear convenient and necessary, upon examination of the causes and qualities of the income. Hence it is that the archbishop has authority to grant special licenses for the celebration of marriage, at other times and in other places than those to which marriage is restricted by the canons of the Church, or by the statute law of the realm, and for clergy-men to hold pluralities, or to be absent from their parishes.

Dispensing Power of the Crown.—Some of the English Kings, especially Charles II. and James II., claimed the right to set aside the laws; but the power to do so was abolished by the Bill of Rights. (See RIGHTS, BILL OF.)

DISPENSATORY, *dis-pen'-sa-to-re*, is a book containing the method of preparing the various kinds of medicine used in pharmacy. Almost every country in Europe, and many of the large cities, have their own dispensatories, which the apothecaries are bound to follow.

DISPERSION OF THE JEWS.—A term applied to those Jews who continued in other countries after the return from the captivity. (See CAPTIVITY.)

DISPOSITION, *dis-po-si'-shun*.—In Scotch Law, a deed of conveyance by which property, either heritable or movable, is conveyed or transferred from one party to another.

DISRAELI ADMINISTRATIONS, *dis-rai'-le*.—On the 25th of February, 1868, the Earl of Derby having resigned in consequence of ill health (see DERBY ADMINISTRATIONS), Mr. Disraeli, who had held the office of Chancellor of the Exchequer, was charged with the formation of a ministry. The result of the general election in the latter part of the year being unfavourable, the ministry resigned on the 2nd of December. On the resignation of Mr. Gladstone in February, 1874 (see GLADSTONE ADMINISTRATIONS), Mr. Disraeli again took office, and retained it until the result of the general election of the spring of 1880, which was unfavourable to the Conservative party, and on the 23rd of April, the second Disraeli administration came to an end, Mr. Gladstone resuming office.

DISRUPTION, *dis-rupt'-shun* (Lat., *dis*, and *ruptio*, I break), in the ecclesiastical history of Scotland is applied to that act by which upwards of four hundred ministers of the established church left their churches and manse, in 1843, in vindication of their principles, and formed themselves into what has since been known as the Free Church. (See FREE CHURCH.)

DISSEISIN, *dis-sei-zin*, the unlawful dispossessing a man of his land or estate, or interrupting his seisin. (See **SEISIN**).

DISSENTERS, *dis-sent-ers* (Lat., *dis*, and *sentio*, I think), the general name applied to all the religious sects in this country that differ from the Established Church, in doctrine, discipline, or mode of worship. The Roman Catholics and Jews, however, are not usually classed with dissenters as the former never belonged to, or were in any way associated with the church, and the latter assert that Protestants "dissented from" or quitted them. The origin of Protestant dissent from the Church of England is usually traced to the reign of Edward VI., when, by the Act of Uniformity, passed in that reign, dissent from the worship and ceremonies of the established church was rendered a penal offence. Dissenters became much more numerous in the reign of Elizabeth, and from their professing extraordinary purity in worship and conduct, they received the name of Puritans. During that and several of the succeeding reigns, a variety of laws were passed for the repression of dissent, of the most rigorous and oppressive character. During the rebellion the laws against Protestant dissenters were repealed; but they were revived at the Restoration, and the parliament of Charles II. proceeded to enforce, systematically, by new measures of rigour, the principle of universal conformity to the established church. By the Act of Uniformity (13 and 14 Car. II. c. 4), it was enacted that the Book of Common Prayer, as then recently revised, should be used in every parish church, and other place of public worship; and that every schoolmaster and person instructing youth should subscribe an acknowledgment, declaring that he would conform to the liturgy. By this statute, 2,000 of the clergy, who refused to comply with its requirements, were deprived of their preferments. (See **NONCONFORMISTS**.) The Corporation Act of 1661 excluded all dissenters from municipal appointments; and the two Conventicle Acts, in 1664 and 1670, made it penal for five persons, in addition to the occupiers of a house, to assemble for religious worship. In 1665, the Five-mile Act imposed a penalty of £40 on every Nonconformist minister who came within five miles of any corporate town. In 1673, the Test Act excluded dissenters from all civil offices and military commands. The revolution of 1688 ushered in an era of more liberal measures for the dissenters. The Act of Toleration (1 Will. and Mary, c. 18) bestowed on Protestant dissenters full liberty of worship upon paying tithes and other dues, taking the oaths of allegiance and supremacy, and certifying their places of worship to the bishops or justices of the peace; dissenting ministers being also required to sign thirty-five and a half of the Articles of the established church. From that time, various statutes have been passed, extending a greater degree of freedom to dissenters; and in 1828 the Test and Corporation acts were abolished. The oldest of the dissenting bodies are the Presbyterians, Independents, Baptists, and Quakers. About the middle of last century sprang up the Methodists, followers of Wesley and Whitfield, who soon became very numerous. Wesley did not wish to be a dissenter, being an ordained clergyman of the established church; but the church would not sanction his method of proceeding, and he and his followers were forced into separation. A Bill permitting dissenters to hold their own

funeral services, or to dispense with service altogether, in parish churchyards, received the royal assent in September, 1880. Several Bills of a similar character had been previously rejected. A particular account of the different sects will be given under their own heads in other parts of this work.

DISSIDENTS, *dis-se-dents* (Lat., *dis*, and *dis*, I disagree), is a term synonymous with our dissenters, and the term usually applied to certain sects in Poland who dissented from the Roman Catholic Church, but who were yet allowed the free exercise of their own worship. They include Lutherans, Calvinists, Greeks, and Armenians, but exclude Anabaptists, Socinians, and Quakers.

DISSOLUTION OF MARRIAGE. (See **DIVORCE**.)

DISSOLUTION OF PARLIAMENT may be effected in three ways:—1, by the will of the Sovereign, expressed either in person or by representation; 2, by the demise of the Sovereign—in which case, however, it is to continue in existence for six months after the demise unless sooner prorogued or dissolved by the successor; and 3, by length of time—i.e., seven years. (See **PARLIAMENT**.)

DISTAFF-DAY, *dis'-taf*.—Formerly the day after Twelfth-Day was termed St. Instail's Day, sometimes Stock Day, and was generally regarded as the termination of the Christmas sports.

DISTRESS, *dis-tress* (Lat., *districcio*), the taking of a personal chattel out of the possession of a wrong-doer into the custody of the party injured, to procure satisfaction for the wrong committed. Distresses are either for some duty omitted, some default, or nonfeasance; or they are in respect of some wrongful act done by the distrainee. The most usual injury for which a distress is taken, is that of non-payment of rent or taxes. A lord may also distrain of common right for neglect to do suit to the lord's court, or other certain personal service. Distresses may also be taken where a man finds beasts of a stranger wandering in his grounds doing him hurt or damage; in which case the owner of the soil may distrain them while they are upon his grounds, till satisfaction be made to him for the injury he has sustained. As a general rule, all chattels personal are liable to be distrained, unless specially protected or exempted, as are all animals *feræ nature* or whatever is in the personal use or occupation of any man at the time; and things delivered to a person exercising a public trade, to be carried, wrought, or managed in the way of his trade. Fixtures and things in the custody of the law, money (except in certain cases), and goods of a perishable nature, as fruits, milk, &c., are exempt from distraint; as are also beasts of the plough, and the instruments of a man's trade or profession, if there be sufficient property on the premises otherwise. A distress cannot be made in the night except in the case of cattle *damage feasant*, as otherwise they might escape. A landlord may distrain within six calendar months after the determination of the lease, provided his own title or interest, as well as the tenant's possession, continue at the time of the distress. In general, the distress must be made on the premises; but goods fraudulently or clandestinely carried off may be distrained within thirty days thereafter, unless they have been *bonâ fide* sold for a valuable con-

sideration. The landlord may not break open a house of which the rent is in arrear to make a distress; but when he is in the house, he may break open an inner door. Distresses must be proportioned to the thing distrained for, and an inventory of as many goods as are judged sufficient to cover the rent and expenses, must be made and served personally on the tenant, together with a notice of the fact of the distress having been made, and the time when the rent and charges must be paid, or the goods replevied. The landlord cannot sell the goods distrained before the expiry of five days; and, prior to the sale, an appraisement must be made by two sworn appraisers of the value of the goods. After the sale, if there be any overplus after payment of the rent and expenses, it is to be handed over to the tenant. The goods of lodgers are exempted from distress if a proper claim be made. Cattle cannot be lawfully distrained if found trespassing through default of the occupier of the land by neglecting to repair his fences or to shut his gates, unless the owner of the cattle suffer them to remain after receiving notice of their trespass; neither can they be distrained if once off the land upon which they have been trespassing.

DISTRIBUTIONS, STATUTE OF, the statute 22 and 23 Car. II. c. 10, explained by 29 Car. II. c. 3, which regulates in England the division of the estate of a person dying intestate. It enacts, that after the expiration of one full year from the death of the intestate, one-third of the surplus of his personal estate shall go to the widow, and the remainder be divided in equal proportions among the children. If there be no children, then the widow is to have one half, and the other half to be divided among the nearest of kin; if no widow, then the whole to go to the children; and if neither widow nor children, then the whole to be distributed among the next of kin.

DISTRICT, *dis-trikt* (Lat., *districtus*), in general language, a limited extent of country, or a circuit within which right or authority may be exercised.

In the Army, District Commands are a part of the military organization of the country. There are 12 district commands in Great Britain and the Channel Islands, and 3 in Ireland: 1, Northern (head quarters, York); 2, Eastern (Colchester); 3, Western (Devonport); 4, Southern (Portsmouth); 5, Chatham (Chatham); 6, South-eastern (Dover); 7, Home (Horse Guards, London); 8, Woolwich; 9, Aldershot; 10, North British (Edinburgh); 11, Jersey; 12, Guernsey and Alderney. In Ireland there are 3, Belfast, Dublin, and Cork districts.

DISTRICT CHURCHES ACTS. In 1865, certain new churches were constituted rectories; and in 1868 (by the Bishop of Oxford's Act) the new parishes not rectories were ordered to be styled vicarages.

DIVINE RIGHT, *div-ine* (Lat., *divinus*), a term employed to denote the source of kingly power, and formerly used as an argument to maintain the claim of monarchs to absolute and unqualified obedience from their subjects. The monarch was held to be the direct representative of Deity, to whom alone he was responsible for his actions. This subject gave rise to much controversy in England during the struggle between the Royalists and the Parliament, the former of whom stood up for the divine right. Some traced this divine right to the primitive patriarchal way, which was the true Scriptural idea; others to

some supposed social contract, in which men gave up their natural rights in exchange for protection. Pope's phrase in "The Dunciad," "The right divine of kings to govern wrong," is a popular satirical quotation.

DIVINE SERVICE, in Law, is applied to an obsolete mode of tenure, in which the tenants were obliged to perform some special divine service; as to sing so many masses, distribute a certain sum in alms, &c. The phrase now implies the service of public worship.

DIVINITY. (See THEOLOGY.)

DIVISION, *div-i-zhun* (Lat., *dividere*, to divide). An army which is under a general officer, known as the commander-in-chief, is always divided into two or more divisions, each under the command of a general officer. Each division is again subdivided into brigades, and each brigade is composed of about four regiments or battalions. A division consists of all arms of the service—cavalry, infantry, and artillery.

DIVISION OF LABOUR, in Political Economy, is applied to that necessary division of occupations which is a consequence of man's living in society. In that rude state of society in which there is no division of labour, every man endeavours to supply by his own industry his wants as they occur. But as men came to live in society, they found that one person could produce more by confining his attention to only a few objects than by carrying on a great many. Their wants, too, gradually increased; and as the means of supplying these could only be obtained through labour, they were naturally led to seek the greatest amount of production from the least expenditure of labour. Hence the principle of division of labour is the very foundation of any social system, and must have existed from very early times; but it remained for political economy to discover its nature, uses, and results. As it is the power of exchanging that leads to the division of labour, so the amount of labour, and consequently the extent of division, must always be limited by the extent of the market. If there were no means of exchanging, men would be obliged to provide everything that they require for themselves. Hence it is, that in populous cities trades are subdivided to a much greater extent than in villages or country parts; and hence, too, the advantages to be derived from the division of labour can only be reaped in their full extent where there is a great power of exchanging or an extensive market. Another important consequence of the division of labour is the power possessed by every country of availing itself to a certain extent of its natural or acquired advantages, which is called the territorial division of labour.

DIVORCE, *div-ors* (Lat., *divortium*, from *diverto*, I turn away or separate), denotes a separation by law of husband and wife; and is either a divorce *a vinculo matrimonii* (from the bond of marriage), or a *mensa et thoro* (from bed and board), the marriage in the former case being dissolved, but not so in the latter, the parties being only debarred from living together. According to the law of Moses, "When a man hath taken a wife, and married her, and it come to pass that she find no favour in his eyes, because he hath found some uncleanness in her: then let him write her a bill of divorcement, and give it in her hand, and send her out of his house." (Deut. xxiv. 1.)

After ninety days the wife might marry again ; but after she had contracted a second marriage, though she should be again divorced, her former husband might not take her again to be his wife. The like lax notions on the subject of marriage appear to have prevailed generally in the East at that early period ; and even at the present day, as among the Arabs, a husband can divorce his wife on the slightest occasion. The Mohammedan law allows of a separation by mutual consent, giving the wife the right of retaining her marriage portion unless she agrees to relinquish a part of it as the price of the separation. They are permitted to separate and re-unite twice ; but, after the third divorce, he cannot again receive her until she has been married and divorced by another. Among the Hindoos and Chinese, the notions are still more lax on this subject, and a husband may divorce his wife upon the slightest grounds, or even without assigning any reason. The laws of the several Grecian States regarding divorce differed greatly from each other : in some it was permitted on slight grounds ; in others the laws were stringent regarding it. At Athens, divorce was permitted on slight causes, but not without giving a bill containing the reasons for it, to be approved, if objected to, by the chief archon. At Sparta, divorces seem to have been very rare. By the early laws of Rome, the husband was not allowed to divorce his wife without just cause ; as for adultery, drunkenness, counterfeiting his keys, or poisoning his children. Other causes were afterwards added, and at length divorces took place on very frivolous pretexts, and the women enjoyed the same liberty as the men. Hence Augustus introduced a law enacting additional ceremonies in obtaining a divorce, and requiring the presence of seven witnesses, before whom the marriage contract should be torn. By the Theodosian code, among the causes for which a husband could divorce his wife, were adultery ; the being a witch or a murderer ; committing sacrilege ; violating sepulchres, or buying or selling one free-born to slavery ; favouring thieves and robbers ; frequenting nights or theatres, or feeding with strangers against the wishes of her husband ; the being privy with those that plot against the State, or dealing falsely or offering blows. If the wife could prove the husband guilty of any of these crimes, she also was at liberty to leave him ; but could not marry again until after the expiry of one year, whereas the husband might marry again immediately. Voluntary divorces were abolished by Justinian, but were afterwards revived under the emperor Justin, and the practice is understood to have continued in the Eastern empire down to the 6th or 10th century, when it was finally subdued by the influence of Christianity. The Scripture doctrine on this subject is enunciated by our Saviour, when he says, " Have ye not read, that he which made them at the beginning male them male and female, and said, For this cause shall a man leave father and mother, and shall cleave to his wife : and they twain shall be one flesh ? " " What therefore God hath joined together, let not man put asunder. " " Moses because of the hardness of your hearts suffered you to put away your wives ; but from the beginning it was not so. And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery : and whoso marrieth her which is put away doth commit adultery. " (Matt. xix. 4-9.) Our Saviour's declaration naturally became the foundation of the

law of divorce in all Christian countries ; and after marriage was raised to the dignity of a sacrament by Pope Innocent III., in 1215, the ecclesiastical courts claimed the sole jurisdiction over it. The papal canon law regarded the bond of marriage as indissoluble, but allowed a divorce *a mensa et thoro* for five causes—viz., adultery, impotency, cruelty, infidelity, and *negressus religionis*. The Church, however, assumed to itself a power to grant dispensations for absolute divorces. The principle of the canon law, not admitting of an absolute dissolution of the marriage contract for any cause whatever, governed the ecclesiastical law of this country. A divorce was only a judicial separation *a mensa et thoro*, not allowing either of the parties to marry again during the lifetime of the other. An individual, however, if able to incur the expense, might, after a sentence of divorce *a mensa et thoro*, pronounced by the ecclesiastical court, by obtaining an Act of Parliament, procure a suspension of the law, and, by legislative interference, obtain a dissolution of his marriage. There were certain causes, however, which were regarded as nullifying marriage and justifying a divorce *a vinculo matrimonii* ; as, a previous marriage still subsisting, or affinity within the prescribed degree—the sentence in such a case being declaratory only that the marriage was originally null and void. The law of England granted judicial separation only on the grounds of adultery or cruelty ; and the effect of it was to place the woman in the same position as a *femme se'e*, enabling her to hold and deal with property free from the control of her husband ; and in the case of a man, relieving him from all obligation to support his wife. By Act 20 and 21 Vic. c. 35, an entire change was effected in the law of divorce in England, and a court instituted with exclusive jurisdiction in matters matrimonial, and with authority, in certain cases, to decree the dissolution of a marriage. The entire jurisdiction, therefore, previously exercised by the ecclesiastical courts in matters of divorce, was transferred to this court under the name of the Court of Divorce and Matrimonial Causes (see next article) ; and sentence of judicial separation (having the same effect as a divorce *a mensa et thoro*) may be obtained either by the husband or wife on the ground of adultery, or cruelty, or desertion without cause for two years and upwards ; but neither party can obtain a divorce on the ground of mere desertion alone, however long continued. This court has also the power of dissolving a marriage on a petition presented by the husband, setting forth that his wife had been guilty of adultery, or on a petition by a wife on the ground that her husband had been guilty of incontinuous adultery, or of adultery with cruelty, or adultery with desertion for two years or upwards. If there is reason to believe that the petition is presented or prosecuted in collusion with either of the respondents, the Queen's proctor has power to interpose, and if the collusion is proved, the petition is dismissed. The court may also, if it sees fit, order the husband to secure to the wife such gross or annual sum of money for any term not exceeding her own life, as it may deem reasonable in the circumstances. It can also allow damages, if asked for, against the adulterer, and may also order him to pay the costs of the proceedings. It has also the power to declare in what manner such damages are to be paid or applied, and to direct that the whole, or any part thereof, shall be settled for the benefit of

the children, if any, of the marriage, or as a provision for the maintenance of the wife. It may also make such provisions as it may deem proper with respect to the custody, maintenance, and education of the children of the marriage; and may, if it shall think fit, direct proper proceedings to be taken for placing such children under the protection of the court of Chancery. If the wife who has been guilty of adultery is entitled to any property, either in possession or reversion, the court may, if it think proper, order such settlement as it may deem reasonable to be made of such property, or any part thereof, for the benefit of the innocent party, and of the children of the marriage, or either of them. Either party may appeal from a decision of the judge. Every decree for a divorce is thus a decree nisi, and not absolute till after the expiration of six months, within which time it shall be lawful for any person to show cause why such decree should not be made final. After the decree has become final, it shall be lawful for either party thereto to marry again even with the paramour as if the prior marriage had been dissolved by death; but it is provided that no "clergyman shall be compelled to solemnize the marriage of any person whose former marriage may have been dissolved on the ground of his or her adultery, or shall be liable to any suit, penalty, or censure, for solemnizing, or refusing to solemnize, the marriage of any such person." He must, however, allow another clergyman, if willing to do so, to perform the ceremony. In the appeal in the famous Mordaunt case (1874), it was decided by the House of Lords that proceeding may be taken for divorce from an insane wife. The law of Scotland on this subject differs materially from that of England. According to the former, if the husband should either abandon his family, or turn his wife out of doors, or by barbarous treatment endanger her life, or render her condition quite uncomfortable, the judge will, on proper proof, authorize a separation *a mensa et thoro*, and award a separate alimony to her, suitable to her husband's fortune, to take place from the time of the separation, and to continue till there shall be either a reconciliation between the parties or a sentence of divorce. Actions of divorce were formerly brought before the Supreme Commissary Court of Edinburgh; but by Act of Parliament in 1830, they were removed to the jurisdiction of the Court of Session; and questions of fact connected with such cases may, at the discretion of the court, be tried by jury. The grounds of divorce are two: adultery and wilful desertion, the latter of which must have continued for four years. The pursuer must also swear that the action is not carried on by collusion. The offending parties cannot intermarry. The effect of a decree of divorce is, that the offending party forfeits all benefit which might accrue to him or her from the marriage. In France, before the revolution of 1792, marriage was, in accordance with the principles of the canon law, held to be indissoluble; but after that event very lax notions prevailed on this subject, and divorces were permitted on very slight grounds. The Code Napoleon greatly restricted this liberty, but allowed a divorce to either party on the ground of adultery, outrageous ill-usage, and some other causes; but in 1816 the divorce clauses of the code were abolished, judicial separation being retained, and subsequent attempts to retain freedom of divorce have been abolished. In Holland, divorce *a vinculo matri-*

monii is obtainable on the ground of adultery or desertion. In the different states of America the laws are by no means uniform on this subject. In several of them no divorce is granted but by special act of the legislature; but generally, divorce *a vinculo* may be granted by courts of justice for adultery. In most of the States, in addition to adultery, intolerable ill-usage or wilful desertion (in some for seven, in others for three years), will form grounds for a divorce *a vinculo matrimonii*.

Divorce and Matrimonial Court, is a court instituted by act 30 and 21 Vic. c. 85 for trying matrimonial causes, and granting decrees of divorce, which had been formerly under the jurisdiction of the ecclesiastical courts. The court now styled the Probate, Divine and Admiralty Divine of the High Court of Justice, has two judges, the President and a Judge. As at first instituted, marriage could only be dissolved by a full court, of which the chief justices of the three principal courts were members. This arrangement was changed by the Divorce Amendment Act, passed in July, 1860.

DOCETÆ, *do-ctē* (Gr., *dokein*, to seem), a heretical sect that sprung up very shortly after the foundation of the Christian religion. As their name implies, they disbelieved in the incarnation of Christ; asserting that he acted and suffered in appearance only.

DOCK, the inclosed space, usually surrounded with an iron railing or *chevaux de frise*, in which a prisoner is placed during his trial.

DOCKYARDS, yards or magazines situated near large harbours, for the purpose of containing all kinds of naval stores, timber, &c., together with all the materials requisite for the building and repairing of ships. Before the reign of Henry VIII. there were neither arsenals nor dockyards belonging to the crown; but to that monarch belongs the credit of having first founded a regular navy by the establishment of dockyards, and the formation of a board consisting of certain commissioners. The first dockyard erected in his reign was that of Woolwich. Those of Portsmouth, Deptford, Chatham, and Sheerness followed. Plymouth, and afterwards Penikese, are more recently-formed dockyards. All of these establishments have slips in which new ships are built, sheds and dry docks for repairing vessels, and all the requisites for fitting them out for sea. Boat-building and mast-making are also carried on; and in some cases blocks, ropes, and sails are made and anchor's forged. Portsmouth dockyard is considered the great naval arsenal of England, and the head quarters of the British navy.

Dockyard Battalions.—In the year 1847, the workmen of the various dockyards were enrolled into a corps for the defence of the yards, and a certain number of them were trained to the use of the large guns; so that each of the battalions has artillery attached to it. These battalions were abolished in 1861.

DOCTORS' COMMONS, or COLLEGE OF CIVILIANS, is a college, or "common-house," founded by Dr. Harvey, dean of the Archdeacon, about the beginning of the reign of Queen Elizabeth, for the professors of civil law in London, and is situated near St. Paul's Churchyard. The original building was burned down in the great fire of 1666; but it was afterwards re-built in 1672. In 1867, the old buildings were purchased by the Metropolitan Board of Works, the right being required for the construction of Queen Victoria Street; and new buildings were erected. Besides being the residence of the doctors of the civil law, who all used to live here, as to diet

and lodging, in a collegiate manner, "commoning together," it was also the official residence of the judges of the court of Arches of Canterbury, of the Admiralty, and of the Prerogative court, who held their courts here. In 1768, the members of this society obtained a royal charter, and were incorporated under the name of "the College of Doctors of Law exercent in the Ecclesiastical and Admiralty courts." The college consists of a president (the dean of the Arches for the time being), and of those doctors of law who, having regularly taken that degree in either of the universities of Oxford or Cambridge, and having been admitted advocates, in pursuance of the rescript of the archbishop of Canterbury, shall have been elected fellows of the college in the manner prescribed by the charter. Hence no one can be admitted a member, or allowed to practise as an advocate in the courts at Doctors' Commons, who has not first taken the degree of doctor of laws in one of the English universities. Proctors in these courts discharge duties similar to those of solicitors and attorneys in other courts. (See PROCTOR.)

DOCUMENT, *dok'u-ment* (Lat., *documentum*, from *docco*, I teach, as teaching or showing something), in Law, is applied to any written muniment produced in proof of any fact asserted.

DOE, JOHN, *do jon*, in Law, was, previous to the passing of the Common Law Procedure Act (1852), a fictitious personage, who was usually employed as plaintiff in actions of ejectment against an equally fictitious defendant, Richard Roe. If the tenant in possession did not, in due time, take the proper steps to be admitted defendant in the place of Roe, then, upon judgment being given against Roe, the real tenant would be turned out of possession by the sheriff.

DOGS, LAW RESPECTING.—The owner of a vicious dog is liable for the damage it may commit; and if he, knowing it to be of a vicious nature and likely to bite, allow it to go unmuzzled into a public place, he may be indicted for a common nuisance. If a dog, known to its owner to have previously bitten a sheep, be retained by him, the owner will be liable for all subsequent injuries, even to other animals. By 7 and 8 Geo. IV. c. 29, dog-stealing was punishable by fine; but by 8 and 9 Vic. c. 47, it is made a misdemeanour, punishable on summary conviction by imprisonment and hard labour, or a fine not exceeding £20 beyond the value of the dog; a second offence may be punished by fine or imprisonment and hard labour for a period not exceeding eighteen months, or both. A dog going into a neighbour's field does not afford ground for an action of trespass unless special damage can be proved. Formerly, dogs were employed to draw barrows and trucks; but such use was prohibited by the 2 and 3 Vic. c. 47.

DOG-TAX AND LICENSES.—A tax on dogs was imposed in 1799 and again in 1808. Previous to 1867, the duty on every dog above the age of six months was 72s. The assessed tax was repealed in that year, and an excise duty of 5s. imposed instead, licenses to be taken out.

DOGE, *doje* (Ital., from the Lat., *dux*, a leader), the title of the chief magistrate in the old republics of Genoa and Venice. The dogate, or office and dignity of doge, was elective; the doge of Genoa (first chosen in 1339) being elected for two years, and at Venice for life. The office

was originated in the latter city in the year 607. Originally, the doge was elected by the people; but towards the end of the 12th century, a grand council of 470 members was established, and they appointed the doge. The doge was chief of the council, first minister, and personal representative of the republic; but, though invested with almost regal authority, he was not a sovereign. He could convoke assemblies, declare war, or conclude treaties; command the armies of the state, appoint the military tribunes and the judges, collect citizens, hear appeals, decide disputes between the clergy, award ecclesiastical punishments, invest bishops and instal them in their churches. At a later period the doge was merely the representative of an authority which was actually reserved to the republic. He could not go beyond Venice without permission of the council. His children and brothers were excluded from all the chief offices of state; and so jealously did the republic regard the chief they had themselves elected, that the doge of Venice was, politically speaking, a nonentity. He could not divest himself of his dignity at will; and at his death, three inquisitors and five correctors examined into his conduct with the most searching rigour. The personal history of the doges is inseparably incorporated with that of the republic of Venice; and the office, after an existence of eleven hundred years, yielded, with but a slight resistance, to the power of the republic of France.

DOGMATISTS, *dog'-ma-tists*, a sect of ancient physicians, called also *Logici*, or logicians, from their employing the rules of logic and reason in their profession, as distinguished from the empirics.

DOLE, *dole* (Lat., *dolus*, guile), a term used in Scotland, denoting the amount of conscious guilt or evil intention necessary to make a legal crime. It corresponds with the English term felonious intent. *Doli incapax* is one who is incapable of dolo, or incapable of consent.

DOM. (See DON.)

DOM-BOC. (See DOOMBOOK.)

DOMESDAY, OR DOOMSDAY BOOK, *domes'-day*, one of the most ancient and valuable records of England, prepared by order of William the Conqueror, to serve as the register from which judgment was to be given upon the value, tenure, and services of lands therein described. According to some historians, the survey was begun in 1080 or 1083; according to others, at the close of 1085. The book itself records its completion in 1086. The work appears to have been known by the other names of *Rotulus Wintonie* (Roll of Winchester), *Liber de Wintonia* (Book of Winchester, in consequence of its being at one period preserved in that city), the *Liber Consualis Angliæ* (Rate-book of England), *Scriptum Thesauri Regis* (Record of the King's Treasury). The origin and object of the record are best described by the author of the "Saxon Chronicle," a contemporary work. He states, that in the nineteenth year of the Conqueror's reign an invasion was apprehended from Denmark, and the military constitution of the Saxons being then laid aside, and no other introduced in its stead, the kingdom was wholly defenceless, which occasioned the king to bring over a large army of Normans and Britons who were quartered upon every landholder, and greatly oppressed the people. But the danger having passed away, the

king held a council, to inquire into the state of the nation; the immediate consequence of which was the compilation of the "Doomsday Book," or Great Survey, which was finished in the succeeding year, at which period the king, attended by all his nobility, held a court at Sarum, where all the principal landholders submitted their lands to the yoke of military tenure, became the king's vassals, and did homage and fealty to his person. The formation of the record took place thus: persons called the king's justiciaries visited the greater part of the kingdom and obtained the required particulars, on oath, from the sheriffs, lords of manor, parish priests, reeves of hundreds, bailiffs, and villeins of each town. The record contained a list of the bishops, churches, religious houses, great men, king's manors, king's tenants *in capite*, and under-tenants; the particulars of the name of each place, its holder, its extent, the extent of wood, meadow, and pasture, the ponds and mills, the quantity of live stock, the value of the whole, the homages of each manor, the number of villeins, cotarii, servii, and freemen, and how much each freeman or socman had. Three estimates of the estates were made—viz., as they were in the time of Edward the Confessor; as they were bestowed by William, and as they were at the time of the survey. Moreover, the jurors were required to state whether any advance could be made in the value. The returns of the justiciaries were sent to Winchester, and being there digested, were entered in two volumes, which were carried about with the king and great seal, or deposited in a chapel or vault of the cathedral, called *domus Dei*. From this last circumstance the name Domesday is thought to be derived; while others ascribe it to a parallel between the decisions of the book and those of the day of doom. The first volume, called the "Great Domesday," consists of 382 folio pages, closely written on vellum, and contains the survey of thirty-one counties. The second, or "Little Domesday," is a quarto volume of 450 pages, and comprises the returns from Essex, Suffolk, and Norfolk. It contains also a list of "invasions," or lands possessed without royal authority. Neither Northumberland, Cumberland, Westmoreland, nor Durham appears in the record. Other counties are described, either wholly or in part, under adjacent divisions. No account is given of either London or Winchester. As a census of the population, the Domesday Book is of no value; but with regard to the ancient tenure of lands its authority is supreme. It mentions only 1,400 tenants *in capite*, and 8,000 under-tenants, and names a total population of 382,212. The book is now preserved in the Public Record Office, Fetter-lane, beneath a glass case, and can be seen without payment of any fee. It consists of two volumes—one, a large folio, written on 382 double pages of vellum, in a small, but plain character, each page having a double column; the second volume is in quarto, written upon 450 double pages of vellum, but in a single column, and in a large plain character. A fac-simile of the book was published in 1783 by order of the Government. It was ten years in passing through the press. In 1816 the commissioners of public records published two supplementary volumes, with a valuable introduction by Sir Henry Ellis. The first volume was taken up with the general introduction; the second volume contained four similar records as the Domesday—viz., the Exon Domesday, the Inquisitio Eliensis, the Winton

Domesday, and the Boldon Book. These last records were valuable as tending to supply what was deficient in the older and more famous Domesday-book. A fac-simile edition of the record produced by the photo-zincographic process, has been issued.

Local Domesdays.—The Domesday of St. Paul's was made in 1181, by Ralph de Diceto, the dean of the Cathedral; and there are others, of York, Norwich, Ipswich, Chester and Evesham.

DOMICILE, *dom'ic sile* (Lat., *domicilium*, from *domus*, a house), in Law, is the place where a person has his home. What constitutes a man's domicile in a legal sense is a question that has given rise to many difficulties, and is marked by many subtle distinctions. In general, a man's domicile is "where he has placed his hearth and centred his fortunes." The domicile of the parents is that of the child; and if a child is born while its parents are on a visit or a journey, the regular home, not the place where the birth took place, is its domicile. If a child be illegitimate, it follows the domicile of its mother. A married woman follows the domicile of her husband, and a widow retains the domicile of her late husband till she acquires another. A married man's domicile is generally taken to be where the residence of his family is; and, in general, the place where a man lives is to be taken as his domicile, unless there be evidence to the contrary. In case of the death of a man, his last domicile is that of his widow and children. Every person of full age who removes from one place to another with the intention of making the latter his permanent residence, constitutes it his domicile; but it is held that the former domicile is not lost till the new one is acquired *animo et facto*. It is an established principle of the English law that domicile of origin must prevail until the party has not only acquired another, but has manifested and carried into execution an intention of abandoning his former domicile and adopting another as his sole domicile. The distribution of personal property is regulated according to the laws of the country in which the deceased was domiciled at the time of his death. Succession to heritable property is regulated by the law of the country where it is situated, wherever the death of the proprietor may have taken place. A will, to be valid, must be executed in conformity to the law of the country where the testator was domiciled; and the validity of a marriage depends upon its being in conformity with the law of the country in which it took place, provided the parties were *bona fide* domiciled there.

DOMINICAL, or SUNDAY LETTER, *do-min'i-i-kul*, in Almanacs, one of the first seven letters of the alphabet is used to mark the Sundays in the year, the same letter being employed throughout. The seven days of the week, as beginning on the 1st of January, are designated by the letters A to G, and the one of these which denotes Sunday is the dominical letter of the year. Obviously, each succeeding common year, the dominical letter is, in alphabetical order, one backwards, and in leap year, two backwards. For instance, the year 1881 began with a Saturday, and the Sunday letter was therefore B; and 1882 began on a Sunday, A being the letter. The first day of 1883 will be Monday, and the letter will be G; but 1884 (leap-year) will begin on a Sunday, and we skip a letter, taking F, not E, as the Sunday letter, after the 20th of February, the intercalary day. Dominical letters were first

introduced into the calendar by the early Christians. To find the dominical letter for any year in the present century, add to the date of the year one-fourth part (omitting fractions) and divide by 7. If there be no remainder, A is the dominical letter; if 1 remain, G; if 2, F, and so on throughout the seven letters. Thus, to ascertain the letter for 1882 we proceed in this manner— $1882 \times 470 \div 7 = 346$. There is no remainder, consequently A is the letter sought. By this means we can readily find on what day of the week any day of the month falls in a particular year, the letter indicating the date of the first Sunday.

DOMINICAN FRIARS, *dom-in'-e-kan*, an order of preaching friars first instituted by Dominic de Guzman, at Toulouse, in 1215. About the year before, he had, together with Diego de Azules, endeavoured to convert the Albigenses in the South of France by preaching. Feeling that the immorality of the clergy and the ignorance of the population were great aids to heresy, he instituted the order of the Dominicans for the purpose of preaching and converting. The order was confirmed by Innocent III. and Honorius III., in 1216. Before that time, however, Dominic had found that preaching had little effect upon the Albigenses; and, at his instigation, the pope proclaimed a crusade against the "heretics." The barons of France were summoned to join, and under the leadership of De Montfort, father of the great Simon de Montfort, of England, horrible slaughter was committed on these unfortunate people. Dominic himself is not said to have been a harsh or cruel man, but merely led blindly away by bigotry and religious passion. The members of his new order wore a white garment similar to that worn by the Carthusians, with a black cloak and a pointed black cap. Five years after their institution they took the vow of poverty, and in the following year Dominic died. He was canonized by Gregory IX. in 1233. He had, as early as 1206, founded an order of nuns, and in 1218 the first convent of Dominican nuns was established at Rome. Another Dominican order was established in 1224, called the Knights of Christ, and confirmed in 1279. It was originally a company of knights and nobles, and its object was to suppress heresy by force of arms. The title of the order was afterwards changed to that of the Penitents of St. Dominic. They did not lose their civil or domestic rights and privileges. The original order increased rapidly in numbers and influence. Within six years after their institution they had spread into England, led by Gilbert du Fresney, and founded a monastery at Oxford. They also made their way into Scotland, where they were well received by Alexander II. In England they were always called the *Black friars*, and many traces of them are to be observed in nearly every town. The district in London known as Blackfriars, near St. Paul's, preserves their memory. In France they were called Jacobins, from the fact that they first located themselves in the Rue St. Jacques—in the Latin, Jacobus. They produced several famous scholars; Albertus Magnus, Thomas Aquinas, and Raymond de Penafort, being amongst the number. Members of the order make a terrible figure in history, in connection with the establishment and practices of the Inquisition. At the present day, the order of Dominicans only flourishes in Italy, Hungary, Switzerland, and America. There are convents of

Dominican nuns in those countries, and in Bavaria and Belgium.

DOMINIUM, *do-min'-i-um*, a law term derived from the Romans, implying a full legal right to an object which actual possession alone cannot confer. It may consist in some limited power on the object at the time, or some ultimate right at a future time.

DOMINUS, *dom'-i-nus* (Lat., lord or master), a title assumed by some of the Roman emperors. In Law, a person really interested in the issue of an action though not necessarily a party to the suit, is styled the *dominus litis*.

DONATION, *do-nai'-sion* (Lat., *donatio*, from *dono*, I give), is the act of giving or bestowing; also, a gift. A donation, to be valid in law, supposes a capacity both in the donor to give and in the donee to receive. It distinguishes between a *donatio inter vivos* and *donatio mortis causa*; in the former case a gift, to be valid and binding, must either be accompanied by the solemnity of a deed, or by that of delivery of possession; and when so perfected it is not in the donor's power to retract it, though a mere gift, unless it be prejudicial to creditors, or the donor were under some legal incapacity, as infancy, coverture, or the like. A *donatio mortis causa* is when a person in his last sickness, apprehending his dissolution near, delivers, or causes to be delivered, to another the possession of any personal goods to keep in case of his decease. The gift being made only in contemplation of death, implies that if the donor lives, it shall revert to himself, and consequently it partakes of the nature of a legacy. If the donor dies, it needs not the assent of the executors, but it is of no avail against creditors in case of a deficiency of assets. To be effectual, it must be accompanied by a delivery of the chattels; or if it be in action, and not in possession, the delivery of the instrument by which it is secured. As it takes effect from the delivery, it is not a testamentary act, and does not come within the jurisdiction of the ecclesiastical courts, nor require probate or administration.

DONATISTS, *do-na-tists*, the name of a powerful and influential Christian sect that arose in North Africa in the early part of the fourth century. They were the followers of Donatus, a bishop of Numidia, who opposed the election of Cecilianus to the bishopric of Carthage in 311, on the ground of his being a *traditor*, or having delivered up the sacred books to the pagans, and that thereby his election was void, and all who adhered to him heretics. He quitted the Roman Church, and founded a distinct sect, regarded all others as heretics, and not to be received into their body without a second baptism; consequently they denied the infallibility of the Roman Church. They were condemned in a council held at Rome two years after their separation, and the year following by another at Arles. Constantine the Great, in 316, deprived them of their churches, and sent their seditious bishops into banishment; but, notwithstanding these severities, their doctrines spread very rapidly, and in 330 they are said to have numbered 172 bishops in the Christian provinces of Northern Africa. Driven fanatical by the oppression of the civil power, they not only denied the right of the state to interfere in matters ecclesiastical, but bands of Donatist ascetics attacked the imperial troops, and for thirteen

years continued to devastate Mauritania and Numidia. Martyrdom was eagerly sought by them, and they willingly gave themselves up to be executed. Towards the end of the sixth century, many of them were induced to return to the Catholic Church, and in the following century they became extinct. The Donatists went upon the principle that the essence of a true church consisted in the purity and holiness of each of its members individually, and not merely in its Apostolico-Catholic foundation and teaching; hence they held that every church which tolerated unworthy members was itself polluted by communion with them, and consequently ceased to be a true Christian church. They therefore excommunicated all known and gross offenders, only receiving them again upon being rebaptized; and they also held that the efficacy of the sacraments depended upon the personal worthiness of the administrator.

DONATIVE, *don'a-tiv* (Lat., *donativum*), is generally a donation, gift, or gratuity. In the canon law it is applied to a benefice given by a patron to a priest without presentation to the ordinary, and without institution and induction. No license from the bishop is necessary to perfect the donee's title to the possession of the donative; it receives its full effect from the single act and sole authority of the donor. Donatives are further exempt from episcopal jurisdiction, and are visited by commissioners appointed by the patron. Donatives are created whenever the king, or any subject by his license, doth found a church or chapel, and ordain that it shall be merely in the gift or disposal of the patron, subject to his visitation only, and not to that of the ordinary, and vested absolutely in the clerk, by the patron's deed of donation, without presentation, institution, or induction. The law now is, that if the true patron once waives his privilege of donation, and presents to the bishop, and the clerk is admitted and instituted, the advowson ceases ever after to be donative.

DONIS CONDITIONALIBUS. (See *ENTAIL*.)

DOOM BOOK, DOM BOO, OR DOME BOOK, *doon'-book*, is the name given to the code of laws compiled by Alfred the Great. The general opinion has long been that Alfred was the framer of these laws; but according to Dr. Pauli in his life of that monarch, "he created no new laws; his aim was simply to restore, to renovate, to improve." In every part of his dominions he met with existing laws which required revision, alteration, or arrangement, and to this duty Alfred addressed himself, assisted by the advice and co-operation of the wisest and best men of the time. He had before him the Kentish collection of Ethelbert, the compilation of the West Saxon laws by his own ancestor Ina, and the law-book of the great Offa, which was used in Mercia. "Ina's collection was the only one received entire into the *Codex*, which was chiefly applicable to the condition of the West Saxons. A few articles were admitted here and there from the Kentish and Mercian laws; but research into this matter is not possible, as Offa's book is lost." Alfred strove not only to repress crime, but to check every species of immorality among all classes of his subjects; and his efforts to educate the morals of his powerful but still uncultivated people, in accordance with the

doctrines of the Bible, are indeed beautiful and excellent.

DOOMSDAY-BOOK. (See *Domesday-Book*.)

DOOMSTER, OR DEEMSTER, *doom'-ster*, the name of an officer formerly attached to the High Court of Justiciary in Scotland. He pronounced the sentence or doom of condemned persons. The office has been abolished for many years. Deemsters, in the Islands of Jersey and Man, are judges.

DORCAS SOCIETY, *dor'-kas*, a term applied to an association of ladies who unite together to obtain subscriptions in order to bestow clothing and other aids to families in distress and want. The name is also given to societies got up for the purpose of giving work to distressed needlewomen. The name owes its origin to a verse in the Acts of the Apostles (ix. 36). "And all the widows stood by him weeping, and showing the coats and garments which Dorcas made, while she was with them."

DORT, SYNOD OF, *dort*, a famous assembly convened in 1588 at Dort, or Dordrecht, on the Rhine, convoked by the authority of the States-general. Eminent divines from England, Scotland, Bremen, Elsass, Switzerland, the Palatinate, and the United Provinces, attended it, to decide the controversy between the Arminians and the Calvinists. The Arminian party desired to begin the debate by a condemnation of the Calvinistic tenet of reprobation; but it was decreed that as they themselves were accused of departure from the faith, before they could condemn others they must justify themselves. To this order of procedure they would not yield submission. They were banished, and the synod condemned, in order, the Arminian tenets. The Arminians, or, as they were sometimes called, the Remonstrant party, suffered civil proscription and cruel persecutions. Grotius was sentenced to perpetual imprisonment, and Oldenbarnevelt was executed. Friesland, Groningen, Zealand, Guelderland, and Utrecht, would not accept all the decisions of the Synod; and its authority was not fully recognised in Holland or England. (See *ARMINIANS* and *CALVINISM*.)

DOVE, SYMBOL OF THE.—The Holy Ghost having descended upon Christ at His baptism in the form of a dove, that bird is generally employed as a symbol of the Spirit in religious art. It is also used as an emblem of peace, when it bears an olive-branch in its mouth, doubtless referring to the return of the dove to the ark. When used as an emblem of purity by the ancient painters, it was usually represented white, with red claws and beak, and sometimes with a golden nimbus round the head. Dying saints and martyrs are frequently represented with a dove flying from their mouths; in these cases it is a symbol of the soul purified by suffering. In some stained windows, the seven gifts of the Holy Spirit are symbolized by a dove, from which proceed seven rays, terminating in seven stars. When used as a symbol of the Church of Christ, the dove is represented with six wings—two at the head, two at the shoulders, and two at the feet. The figure of a dove is often to be seen in English churches at the present day over the covers of fonts.

DOWAGER, *doit-a-jur* (Fr., *douairière*), denotes, properly, a widow with a dower, but commonly the title is only applied to the widows of persons of high rank, and is used to distinguish them from the wives of their husbands' heirs, who have the same name and title.

Queen Dowager.—In this country, the widow of the king enjoys most of the privileges which belonged to her as queen-consort. If she were to marry a subject, she would not lose her regal title; but no such marriage would be legal without the consent of the sovereign. It is not high treason to conspire to procure the death of the queen dowager, because the succession to the crown is not thereby endangered.

DOWER, *dow-er* (Lat., *dos*, a gift), that portion of a husband's lands, tenements, &c., to which a wife is entitled for her life upon the death of her husband. A woman forfeits her right to dower by adultery, by her husband's treason, or by divorce *a vinculo*.

DOWRY, *dow'-re*, though often confounded with dower, has quite a different meaning, being the marriage portion brought by a wife to her husband.

DOXOLOGY, *doks-ol'-o-je* (Gr., *doxa*, glory, and *logos*, a discourse), denotes a form of praise, or giving glory to God; as in the concluding paragraph of the Lord's Prayer—"Thine is the kingdom, and the power, and the glory, for ever;" or the Hymn of the Angels (Luke ii. 14)—"Glory to God in the highest, and on earth peace, good will to all men." Two hymns used in the early Christian church were known as the greater and lesser doxology. The greater doxology was simply an expansion of the angelic hymn, and is now generally known by that name; it is sung in the Roman Catholic church at the celebration of the Lord's Supper and at matins. The lesser doxology is the ordinary doxology, "Glory be to the Father, and to the Son," &c., repeated at the end of each psalm, and in other places, in the service of the Church of England.

DRAGONNADES, *drag-on-naïdes*, the name given to religious persecutions of the Protestants in France, in the reign of Louis XIV. and his successors. They were armed expeditions led by a bishop or his delegate, generally a priest, who demanded of the heretics that they should renounce the faith, and, on their refusal, left them to be dealt with in the most cruel manner by soldiers, generally dragoons, whence the name given. Louis XIV. was so pleased with the success of their "conversions," that he revoked the Edict of Nantes, to further the "good work." (See NANTES, EDICT OF.)

DRAGOON, *drag-on'* (Fr., *dragon*, from Lat., *draco*, a serpent with wings and claws, supposed to be able to emit flames from the mouth), a mounted soldier, so called from the weapon with which the horsemen raised about 1600, by the Mareschal de Brieenne, were armed: because the muzzle was shaped like the extended jaws of a dragon. In the British army there are six regiments known as dragoon guards, and three of dragoons.

DRAPERS' COMPANY, one of the twelve principal Companies of the City of London, entitled to be styled "Honourable." It was incorporated in 1430.

DRAWING AND QUARTERING, an old and barbarous punishment, which may still be inflicted upon those who are found guilty of

treason. The sentence is, that the prisoner be drawn to the place of execution on a hurdle; that he be hanged by the neck till he be dead; that his head be severed from his body; and that his body be divided into four parts, or quartered. When females are found guilty of treason, the quartering is not carried into force. By a warrant under the sign-manual of the sovereign, countersigned by a principal secretary of state, the sentence of "drawing and quartering" can now be altered into beheading.

DRIVING, FURIOUS, *driv'-ing fu'-re-us* (Sax., *drifan*, to drive; Lat., *furiosus*, furious), which was a misdemeanour by common law, was declared to be a statutory offence by 24 and 25 Vic. c. 100, which declares that if any person shall be maimed or otherwise injured by reason of the wanton and furious driving or racing, or by the wilful misconduct of any coachman, or other person having the charge of any vehicle, the offender shall be guilty of a misdemeanour, and punishable as such by fine and imprisonment.

DROIT D'AUBAINE, *droi-do-bain'*, an old custom of France, the king was entitled, on the death of a foreigner who had taken up his fixed residence in France, to claim his movable estate, notwithstanding any testamentary settlement which he might have left. The claim was abolished in 1839.

DROITS OF ADMIRALTY. (See ADMIRALTY, DROITS OF.)

DROWNING AS A PUNISHMENT.—The ancient Britons inflicted death by drowning. The *Nepades*, or drowning of priests and Royalists, at Lyons, was one of the most terrible features of the great French Revolution.

DRUIDS, *drui'-ids*, a name given to the order of priests which existed in ancient times among certain branches of the Celtic race, if not among all. Numerous derivations have been given of the name; one not improbable is from the old Celtic word *derwyd*, from *de*, "god," and *rwyt*, "speaking," a participle of the verb *rwytbia*, "to speak." Another is from the Welsh *druid*, an oak, from which comes *derwydd*, or *druid*. The Druids only became known in history about the 1st century before Christ, and they were then chiefly found in Gaul and Britain. Julius Cæsar is the ancient author who has given the clearest and most minute account of them. According to him, they formed one of the two orders of rank and dignity in Gaul. They were engaged in things sacred, conducting the public and the private sacrifices, and regulating all matters of religion. They were held in great honour among the people, and a number of young men resorted to them for the purpose of instruction. They determined almost all controversies, public and private; decreed rewards and punishments; and if any one did not submit to their decision, they interdicted him from the sacrifices, which, among them, was the most heavy punishment, such persons being shunned by all and deprived of all civil rights and privileges. Among the Druids there was one who possessed supreme authority over them, who was either elected by the suffrages of the others, or, if pre-eminent in dignity among the rest, was at once elected. They assembled at a fixed period of the year, in a consecrated place in the territories of the Carnutes, which was reckoned the central region of the whole of Gaul; and thither all who

had disputes assembled from every part, and submitted to their decrees and determinations. They did not go to war or pay tribute like the rest, being exempted from military service, and having a dispensation in all matters. They were said to learn by heart a great number of verses; for they regarded it unlawful to commit these to writing; and hence some remained in training for twenty years. In almost all other matters in their public and private transactions, they used Greek characters. One of their leading tenets was, "That souls do not become extinct, but pass after death from one body to another; and they think that men, by this tenet, are in a great degree excited to valour, the fear of death being disregarded. They likewise discuss and impart to the youth many things respecting the stars and their motion; respecting the extent of the world and of our earth; respecting the nature of things; respecting the power and the majesty of the immortal gods. This institution is supposed to have come from Britain; and even now those who desire to gain a more accurate knowledge of that system, generally proceed thither for the purpose of studying it." As to the amount of knowledge possessed by the Druids, we have little means of determining. They unquestionably possessed some knowledge of the heavenly bodies beyond what simply pertained to the regulation of their religious festivals, inasmuch as they computed the year by lunations, which supposes an acquaintance also with the solar year; and various relics have been found in Ireland, among Druidical remains, which are thought to be astronomical instruments designed to show the phases of the moon. At the same time, there was not a little of astrology, divination, and magic mixed up with their pure science. In their doctrine of medicine particularly, there was far more of superstition than of knowledge. To a great many plants they attributed a sacred mystic character. The oak was especially regarded as sacred among them, and in the oak-groves they frequently performed their rites, and that may, as stated above, have originated their name. Most sacred of all, however, was the mistletoe, which they esteemed as an antidote to all poisons, a cure for all diseases. It was gathered at certain seasons, with the most formal and pompous ceremonies. According to Pliny, as soon as it was discovered upon the oak, the Druids collected in crowds about the tree; a priest in white vestments ascended, and, with a knife of gold, cut the mistletoe, which was received by another standing on the ground; sacrifices were offered up, and the day spent in rejoicings. There were certain other plants which were regarded as potent remedies for various diseases, and were carried about as charms, as well as amber beads, which the Druids manufactured for warriors in battle, and which are still found in their tombs. A still more powerful talisman was, according to Pliny, the serpent's egg. It was formed, he says, by the poisonous spittle of a great many serpents twined together. It was gathered at moonlight, and afterwards worn in the bosom. The Druid who obtained it, had to seize it suddenly, mount a horse and ride for his life until he could cross a stream, and so be safe from the pursuing serpents. Their profounder ceremonies, those which they celebrated in the depths of the oak forests or of secluded caves, are known to us only through the vaguest traditions, and in the stupendous but dilapidated

stone monuments which still exist in some parts of France and Britain, and which are popularly (perhaps not correctly) supposed to have been connected with the Druidical worship. It is said that human sacrifices were frequently offered up upon their altars. The Druids consisted of three distinct classes—the bards, the vates or prophets, and the priests proper. The bards were poets, not only of a religious but also of a martial and satirical class. The vates were the diviners or revealers of the future, who were charged with the conduct of sacrifices and other external ceremonies, and who stood as mediators or interpreters between the people and the higher order of priests. These dwelt in the depths of the oak forests, cultivating the more secret and mystic doctrines of their faith. There were also druidesses, who, as prophetesses and sorceresses, exercised great influence over the people. When Gaul was subdued by the Romans, the Druidical religion gradually retired before the classic heathenism, and, step by step, withdrew at first into Armorica, and then into Britain. It lingered as a public worship longest in the island of Anglesea, whence it was finally driven out by the Roman troops under Suetonius Paulinus, *c.* A.D., amid a great deal of slaughter. Nevertheless it continued, as a superstitious belief, to hold sway for many years thereafter over the minds of the Celtic tribes and their descendants.

DRUM-HEAD COURT-MARTIAL, the name given to a council of officers convoked in haste when on active service, to punish or pass sentence of death on any soldier who has committed an offence which requires to be dealt with in a summary manner. The big drum was used as a table, round which the officers composing the council assembled; whence the name, which is now applied to any court-martial held in haste.

DRUM-MAJOR, the principal drummer in a regiment, who beats the big drum, and teaches and has the general management of the other drummers.

Drummer, *drum-mer*, any man or boy in a regiment who beats the drum, and in this manner gives various signals to the troops. (See **BEAR OF DRUM**.) The drummers stand immediately before the privates on the muster roll.

DRUSES, *drud-es*, a people, about 80,000 in number, of industrious habits and energetic character, inhabiting the southern range of Mount Lebanon and the western slope of Anti-Lebanon, in northern Syria. They are supposed to be the descendants of the Cutlites, a fierce tribe settled by the Assyrian Esar-haddon in this part of Syria after the second captivity, and of the Mardi, a warlike people from the north of the Caspian, 12,000 of whom were formed into a military colony by Constantine IV., in 685 A.D., to form a bulwark against Mohammedan invasions. There was, later, a considerable infusion of Arabs, the result being the strange amalgamated race, the Druses, and their peculiar religion on which Judaism, Mohammedanism, and some rudiments of Christianity are strangely mingled. The name Druses is supposed to have been taken from Darazi, an adherent of the Calf of Egypt, Hakem Bismr Allah, or Bismilla, who, about 1029, announced that he was a Divine incarnation. Darazi, who probably believed in the pretensions of his master, fled from the popular indignation to the Lebanon, where he preached the new doctrines, but with little effect. A

Persian mystic, Hamzé, who became vizier of Hakem, was a more vigorous teacher, and is regarded by the Druses as the actual founder of their faith. The Druses maintain considerable secrecy as to their peculiar tenets; but it is known that they believe in one God, who has revealed Himself ten times upon the earth as a man, Hakem being the last and final incarnation. The first of the creatures of God is the Universal Intelligence, impersonated in Hamzé, who is the creator of all subordinate beings, whose soul was cast in the body of Jesus, and who alone has immediate communion with the Deity. Next in rank are four archangels, and, lower still, are spiritual agents of various ranks. They believe, too, in the transmigration of souls from one human being to another; and that when the souls have been purified from every stain, there will come a period of perfect rest. The souls of the virtuous pass after death into the bodies of Chinese Druses; those of the wicked may be degraded to the level of camels or dogs. All previous religions were merely types of the true faith, and all their sacred books and ceremonies are to be interpreted allegorically. There is a class of religious persons initiated into the Druse mysteries, and known as the Akals; the uninitiated, or Djahits, are free from all religious duties, are not circumcised, and do not pray or fast. Polygamy is unknown. The Akals affect great purity of life, and simplicity of dress, and abstain from intoxicating drinks, tobacco, and other luxuries. The seven cardinal points of the Druse faith and practice are:—veracity (not necessarily towards those not of their own race); mutual protection and resistance; belief in the unity of Hakem as God; contentment with his works; submission to his will; separation from those in error and from demons. Prayer is regarded as an impertinent interference with the will of the Creator; and the freedom of the human will is maintained. The faithful are permitted, if their safety demand it, to make outward profession of any other religion, consequently they do not scruple to join the Mohammedans in prayers and ablutions, or to sprinkle themselves with holy water in the Maronite churches. The Druse places of worship are plain buildings in secluded spots, frequently on isolated hills. About 1840, the Druses were engaged in a terrible quarrel with their neighbours and former friends the Maronites, and frightful massacres were the result. (See MARONITES.)

DUALISM, *du'-al-izm* (Lat., *duo*, two), is a term applied to those systems of philosophy which refer all existence to two ultimate principles. This doctrine was held by many of the ancient Greek philosophers, who regarded the universe as constituted by two principles—the one active, the other passive; the one spiritual, the other material. A mythological dualism was held by Zoroaster and the Magi, who accounted for the present state of things by maintaining the existence of a good and an evil principle. The Gnostics and the Manichæans subsequently adopted this belief. These systems of philosophy which regard matter and spirit as distinct principles are also a species of dualism, in opposition to materialism. The term dualism is also applied to a theory of perception. (See PERCEPTION.) The opposite of dualism is monism.

DUCES TECUM, *du'-ces te-cum* (Lat., you will bring with you), is a writ commanding one to appear at a certain day in one of the

courts of the Chancery division of the High Court of Justice, and to bring with him some evidences or other things which the court would view.

DUCHY, *duch'-e* (Fr., *duché*), a term applied to the territory or dominions of a duke; as the duchy of Lancaster. The court of the duchy of Lancaster in England is also called the Duchy court. (See DUKE.)

DUELLING, *du'-el-ling* (Lat., *duellum*; Fr., *duel*), a combat between two persons, at a time and place specified in a challenge sent by one of the parties to the other. Duels usually arise out of private quarrels, and the general practice is for the party insulted to send a friend to demand an apology. If he refuses, he is requested to name his friend; and the two friends, or seconds as they are called, arrange the preliminaries for the combat. They also choose the ground, regulate the mode of fighting, place the weapons in the combatants' hands, and enforce compliance with the rules which they have decided upon. Although the duel is now of very rare occurrence, it is comparatively a modern institution. Among the ancient Greeks and Romans no such practice existed, and the word *duellum* meant a war between two nations. Afterwards, under the belief that God would interfere miraculously in behalf of the innocent against the guilty, judicial disputes were decided throughout Europe by trial by battle. (See ASSIZE OF BATTLE.) Probably the duel originated in a belief in the same principle. It seems to have had its origin among the Germanic nations. Louis le Débonnaire was the first French king who permitted disputants to resort to arms. Henry II. prohibited duelling, on account of a combat between his friend Francis de la Chastaignerie and Guy Chabot de Jarnac, in which the latter was slain. The practice of duelling, however, still continued. Francis I. openly encouraged it, and set an example by challenging Charles V. Several ineffectual attempts were made to put down the practice; but to such an extent was it carried on during the sovereignty of Henry IV., that in the first eighteen years of his reign 4,000 gentlemen lost their lives in duels. Henry was compelled by popular feeling to endeavour to abolish the custom by adding death, in extreme cases, to the penalties then in force. He, however, did not look with an unfavourable eye upon duelling; consequently, although unlawful, it became very fashionable. During the reign of Louis XIII. duelling became so prevalent that it was said in Paris that no Frenchman was worth looking at unless he had killed his man. Although duelling was so common, the law against it was carried out with great vigour, and several noblemen and gentlemen of high renown were beheaded for persisting in fighting. During Louis XIV.'s reign, duels of three, four, and five sides were common; but the king at last enforced the laws with such firmness that, for the time, duelling was almost abolished. Duelling appears to have been introduced into England about the time of the Norman conquest; but was principally in its public or judicial form. Private duelling was very prevalent in the reign of Queen Elizabeth. It declined during the Commonwealth, but broke out again in the reign of Charles II. During the reign of William III. attempts were made to abolish duelling; and in 1722 a bill was introduced into Parliament, but was thrown out, notwithstanding that its objects had been strongly advocated in Queen Anne's speech. After the

wearing of swords was abandoned, duelling diminished for a time; but the pistol soon began to take the place of that weapon. After a time chance took the place of skill, and ghastly, albeit absurd, duels were fought at two or three paces, one pistol being loaded and the other not. This sort of duelling seemed to reach its climax when the disputants made choice by lot between two pills, one made of bread and the other containing poison. From this point duelling declined, and has quite fallen into disrepute; in this country, indeed, it is now unknown. The last duel fought in this country was in 1845. Several stringent additions on the subject of duelling were added to the Articles of War in 1844 by the commander of the forces. By the laws of England, any man killing another in a duel, however fair it may have been, is considered guilty of murder. Duels among the German students are very frequent, but are little more than fencing-matches with sharp weapons; and although some ugly cuts in the face are given and received, they are never absolutely dangerous, as armed seconds are always on the alert to prevent any serious wounds. In France, duelling is very prevalent, especially among journalists, who challenge each other on the slightest pretences; and both in France and Germany resort to the duel by soldiers who have quarrelled is not only sanctioned, but encouraged, by the military authorities.

DUKE, *duke* (Lat., *dux*, a leader, a general), an honorary title given in England to noblemen of the highest rank. The term is used in our translation of the Bible in Gen. xxxv. 15, with reference to the grandsons of Esau, and probably signifies their position as the heads or founders of families or tribes, as it could have no political meaning further than this at that early period. It was applied as an especial title of rank to the military governors of provinces of the Roman empire about the year 325, in the reign of Constantine the Great, when they ceased to exercise the civil functions which had hitherto formed a part of the duties of the Roman governors or procurators. There were from thirty to forty of these *duces* or dukes, ten of whom were particularly distinguished by the appellation of *comes*, or companion, in allusion to the closer relationship into which they were brought to the emperor, by virtue of the high dignity with which they had been invested. The title *comes* in late ages became "count," and then implied a rank subordinate to that of duke, although it had previously been superior to it. (See **COUNT**.) The title of duke was preserved in succeeding ages, and for the most part applied to military commanders of high rank, by the northern tribes, who asserted their supremacy over the south of Europe in the latter days of the Roman empire. At the time of the conquest it was given to persons exercising almost absolute and kingly power over large tracts of territory called dukedoms, acknowledging the superiority of the monarch, of whom they were supposed to hold their lands by feudal tenure, by some slight and occasional act of homage. (See **FEEUDAL SYSTEM**.) It was, however, no uncommon thing for the duke to enter the lists with his feudal lord on very slight grounds of offence, and successfully hold his own against him. Such were the dukes of Normandy, Gascony, Aquitaine, and Burgundy. Their dominions and titles were hereditary in all cases. The title is applied, even in the present day, to the sovereigns of some of the smaller

German states, sometimes with the prefix of "grand" or "arch," as, the grand-duke of Baden, and the royal archdukes of Austria, &c. In our own country, the Norman and Plantagenet kings assumed the title by virtue of their continental possessions, acquired by inheritance or marriage; but it was first conferred as an honorary distinction by Edward III. on his son, Edward the Black Prince, whom he created duke of Cornwall in 1335; since which time that title has always belonged to the prince of Wales for the time being, by prescriptive right. For some time after this the title was strictly confined to princes of the blood royal, or to those who were very nearly allied to the royal family; but about 1450 the dignity was extended to the Staffords, Beauchamps, and other families, besides those who could claim close kindred with the sovereign. The majority of English dukedoms were conferred in the reigns of William III. and Mary, Anne, and George I.; but since the death of that monarch comparatively few instances have occurred of the creation of a dukedom, that of Wellington, created in 1814, being most worthy of notice. The most recently created duke is the duke of Westminster, previously a marquis. There are at present thirty dukes, of the United Kingdom (the sons of the Queen and the duke of Cambridge, a duke of the blood royal being excepted), of whom twenty-one are English, seven Scotch, and two Irish. The duke of Norfolk is the premier or senior duke of England, by priority of creation; and the duke of Hamilton the premier duke of Scotland.

DUÇAL CORONET. (See **CROWN**.)

DUKE OF EXETER'S DAUGHTER, an instrument of torture resembling the rack in construction. It is said to have been invented during the reign of Henry VI., by the dukes of Exeter and Somerset. According to Blackstone, it was never put into use. It was at one time exhibited along with other instruments of torture in the Tower of London.

DUKE OF YORK'S SCHOOL, the name commonly given to the Royal Military Asylum at Chelsea, established by the duke of York in 1803, for the orphan children of soldiers. The asylum was intended to provide for the education and support of 700 boys and 300 girls, but the girls' school was given up many years ago. The expenses of the institution are met by a public grant made for the purpose, which always forms a part of the annual army estimates. The boys are admitted as vacancies happen to occur, and are chosen by the board of management from the numerous applicants who are candidates for the benefits of the charity. On quitting the asylum the boys generally enter the army; but if they do not wish to do so, they are apprenticed to some trade. There was also a school for the orphan daughters of soldiers at Chelsea; but this has long since been given up.

DUNKERS, TUNKERS, GERMAN BAPTISTS, or BRETHREN, a religious sect of Baptists that originated in Germany in the early part of the 18th century, about twenty families of which left their native country, and settled in Pennsylvania, U.S., about 1719. They were speedily followed by others, and at length formed themselves into a distinct sect, and, in 1733, established a kind of monastic society at a place called Ephrata. The members adopted the

dress of the White Friars, and received monastic names, though they did not take any monastic vows. They hold the fundamental doctrines of Christianity, and acknowledge the Scriptures as the only infallible rule for faith and practice. They are chiefly remarkable for their rigid adherence to the precepts and ordinances of the New Testament, and do not admit of any innovations whatever on the established forms and ceremonies of Christ, even to the washing of the feet before receiving the sacrament. They hold to adult baptism, and administer the ordinance by triple immersion; and they observe the seventh day as the Sabbath. They are exceedingly simple and peaceful in their manners, disclaiming violence even in cases of self-defence, and suffering themselves to be defrauded and wronged rather than go to law. They consider future happiness only to be obtained by penance and outward mortification in this life, and deny the eternity of future punishment. This sect still exists in scattered bodies, chiefly in Pennsylvania.

DURESS, *du-ress* (Norman), literally means harshness; and hence, constraint, imprisonment, or restraint of liberty. In Law, duress is of two kinds:—1, Duress of imprisonment, which is

imprisonment or restraint of personal liberty; and 2, duress *per minus* (by menaces or threats), coercion imposed by fear of loss of life or limb.

DUTY, *du-te* (Ang.-Nor., from *due*), is literally something due or owing by one person to another; hence, that which a person is bound by any natural, moral, or legal obligation to pay, do, or perform. The term is also applied to a tax or impost levied by the Government for the public revenue.

DYING DECLARATION. (See DECLARATION, DYING, and EVIDENCE.)

DYVOUR'S HABIT, *di-voor'* (Fr., *devoir*, to owe).—By the old law of Scotland, debtors were liable to be exposed on a pillory near the market cross of Edinburgh, on market days, wearing yellow bonnets, and these bonnets were to be continued to be worn so long as they were debtors, under penalty of three months' imprisonment. In 1683, the "dyvour's habit" was prescribed by an Act of sederunt. The bonnet and hose were to be of brown and yellow. The practice became obsolete before it was abolished by Act of Parliament, 6 and 7 Will. IV. c. 50.

E.

EAGLE, *eeg'-l*.—As an Emblem, the eagle is assumed by Russia, Prussia, Austria, Poland, and the United States of America as their national emblem. The eagle of the German Empire and of Austria is represented with two heads. It was used by the Romans, Persians, and Egyptians as a symbol or badge of empire.

In Military Affairs.—The standards of the legions of the Romans were generally surmounted by the figure of an eagle perched on a small cross bar at the top of the staff of the banner, with its wings raised. This custom was adopted in the French army under the Napoleons, and all the French military flags were surmounted with a small eagle made of aluminium, and gilt.

EAGLE, ORDER OF THE BLACK, an order of knights in Prussia, founded by the elector of Brandenburg on the day of his coronation as king of Prussia, January 17, 1701. In addition to the princes of the Royal family, the number of the knights was originally thirty, but it is now unlimited. A chapter is held twice in the year, and the candidates for nomination must be thirty years of age, and able to prove their noble descent through four generations by both parents. The black eagle is the highest order of knighthood in Prussia, and, with the exception of foreign princes, and knights of the order of St. John, no member of it is allowed to wear any other order along with it. It is generally worn by those who are in attendance upon the king; consequently, no one who holds it is permitted to travel more than twenty German miles from the court without giving due notice. Knights of the Black Eagle are also knights of the Red Eagle. The insignia belonging to the order of the Black Eagle consist of an octagonal cross of blue enamel, with a black eagle between each of the arms of the cross. The cross is suspended across the left shoulder by a broad orange-coloured ribbon. On the left breast an embroidered silver star is worn. In the centre of the star is displayed a black flying eagle, bearing a thunderbolt in one claw, and a laurel wreath in the other. The legend round the eagle is "Suum

quique." Every new member of the order pays fifty ducats towards the support of the orphan asylum at Königsberg, after which he receives the robes and insignia of the order.

Eagle, Order of the Red, an order of knights in Prussia, founded by the margrat George Frederick Charles, in 1734, as a re-organization of the *Ordre de la Sincérité* instituted by the hereditary prince of Anspach and Baireuth early in the century. Frederick William II raised the order of the Red Eagle in 1791 to the rank of the second order in the monarchy. The decoration consisted of a white Maltese cross, surmounted by a royal crown, with the Brandenburg eagle in the corner. In 1810 it was re-organized, two additional classes being included in it. The second of these classes was, in 1830, subdivided into two, only one of which was entitled to wear a star.

EARL, *erl* (Sax., *eorl*; Dan., *jarl*), an honorary title of distinction given to noblemen, who take rank between marquises and viscounts. The term originated with the nations of the north of Europe, who applied the title of "jarl" (pronounced *jarl*) to chieftains of the highest rank, who were appointed by the sovereign to govern large tracts of land, having the powers of a viceroy in the administration of justice, but being also under the obligation of furnishing, equipping, and maintaining a certain number of men as a contingent to the national force, and of acting as their leader when the necessities of war compelled the king to call them out for actual service. The dignity was, in fact, equivalent among the Teutonic nations to that of the Roman *comes*, or count; and the appellation was the highest title of honour that the monarch could confer. It was introduced into England by the founders of the Saxon heptarchy, and then applied to the nobles generally, in contradistinction to the *eorls*, who were free men, forming the large middle class of the Anglo-Saxon nation. The earls, who presided over the courts of justice and public meetings of the district or shire intrusted to their management, were further distinguished by the title of *ealdorman*; but this appellation ultimately fell into disuse, and at the time of the

Conquest the Saxon governors of shires, whose rank was equivalent to that of the present lord-lieutenants of counties, were all styled earls. Under William the Conqueror earldoms were held by tenure, and the earl was possessed of local jurisdiction and power, and was entitled to claim a certain portion of the local revenues: some of them, such as the earls of Chester, even held parliaments, created barons, and had their officers of state like the king himself. It remained the highest title of rank in England until the latter part of the 14th century, when the dignities of duke and marquis were introduced, the holders of which took precedence over earls. The title, which is now granted by letters patent, was formerly conferred by the king in person, who invested the earl, at his creation, with his mantle, putting on his coronet and girding on his sword with his own hands. The title is generally associated with some territorial designation as the Earl of Derby or Earl of Shrewsbury; but in some instances, especially in recent creations, the recipient of the title has preferred to retain his own surname, as Earl Grey and Earl Russell. There are 118 earls in the English peerage, and 51 Scotch and Irish earls sit in the House of Peers with English titles, and there are 8 Scotch and 12 Irish representative Peers. The Earl of Shrewsbury is the premier earl of England, the title having been granted in 1442.

Earl's Coronet. (*See CROWN.*)

Earl-Marshal of England, the title of one of the great officers of state, who is at the head of the Herald's College and has the power of granting armorial bearings, with jurisdiction in matters relating to pedigrees and claims to coats of arms, through the kings at arms, after, Clarenceux, and Norroy, who act as his deputies. The office is now hereditary, and attached to the dukedom of Norfolk by a grant made by Charles II. in 1675 to Henry Lord Howard. This officer was styled marshal, or lord-marshal, only, until the reign of Richard II., who created Thomas Mowbray, earl of Nottingham, earl-marshal of England by letters patent. The earl marshals acted as presidents of the Court of Chivalry. (*See CHIVALRY, COURT OF.*)

Earl-Marshal of Scotland, an officer who commanded the cavalry. It was always held by members of the Keith family; but was forfeited to the Crown by the rebellion of George Keith in 1685.

EARNEST, *er'-nest* (Sax., *cornest* or *geornest*; Lat., *arrhæ*; whence, in Scotland, it is called *arles*), is something given in order to bind a bargain—usually a small sum of money. It is also applied to any simple ceremony for the same purpose. Anciently, among all the northern nations, shaking of hands was held necessary to bind a bargain, a custom, says Blackstone, which we still retain in many verbal contracts. In the public markets, touching hands is considered as binding a bargain. A sale thus made was called *hand-sale*; and in process of time the same word was used to signify the price or earnest which was given immediately after the shaking of hands, or instead thereof. By the law of England, if any part of the price be paid down and accepted, or any portion of the goods delivered and received by way of earnest, each person is obliged, in strictness, to abide by his bargain; and in case he declines it, he is not discharged upon forfeiting his earnest, but may be sued for the whole amount.

EASEMENT, *ere'-ment*, in Law, a privilege which the owner of one neighbouring tenement claims from another. The rights known as easements include rights of water out of way, rights to light and air, the supports from adjoining buildings, and other important matters. When a

party entitled by deed or prescription to the enjoyment of an easement is disturbed in that enjoyment, he may enforce his right by action at law.

EAST, *east* (Sax., *east*; Ger., *ost*), the quarter of the heavens or point of the horizon where the sun rises at the equinoxes in March and September. When we are looking towards the north, the east is on our right hand and the west is on our left. The east has been invested with a kind of sacred character from very remote times. The early sun worshippers placed the altar in the eastern part of their temples, so that they might sacrifice towards the rising sun. The Christian Church in former ages had a great veneration for the east, always placed the chancels of the churches at the eastern end, and buried the dead with their feet to the east, tradition affirming that Christ was so buried. The creed was also recited with the face turned to the east; and that practice is still observed in cathedrals and by High Church worshippers.

EAST-INDIA COMPANY.—The East-India Company was formed under a charter granted for fifteen years by Queen Elizabeth, in 1600, under the title of "The Governor and Company of Merchants of London trading to the East Indies." The charter was exclusive, prohibiting the rest of the community from trading within the limits of the company, which comprised the whole space, including both land and sea, between Cape Horn and the Cape of Good Hope. Ships were soon sent out by the company to Sumatra and Java, which returned with cargoes of calico, silk, indigo, &c.; and about 1602 they obtained leave from the native rulers to establish factories at Surat, Ahmedabad, Cambay, and Gogo. The town of Surat was considered the principal British station in the west of India, till the acquisition of Bombay. The charter of the company was frequently renewed, and their stations and factories increased in number. The station at Madras was established in 1610, that of Calcutta in 1645, and that of Bombay in 1665. By a statute of Charles II. they were empowered to make war and peace on the native princes, and for nearly two hundred years they took advantage of this privilege. A new East-India Company was formed in 1698, to whom the Crown granted a charter, because they offered a loan of £2,000,000 to the State. The two companies could not agree, so they amalgamated, and formed one company, under an Act of Parliament passed in 1702. As long as the company existed, the constitution, as then formed, remained almost the same. Every shareholder who held £500 of the Company's stock became a member of the Court of Proprietors. This court chose from their number twenty-four directors, each of whom held not less than £2,000 of the stock. The members of the East-India Company were, properly speaking, merchants exporting home produce and importing silk, calico, diamonds, spices, &c., from thence. Gradually they began to interfere in the quarrels of native princes, and, in time, began to gain an influence which amounted to sovereign power over vast portions of territory; and the brilliant military abilities and unscrupulous policy of Clive and the great talents and indomitable will of Warren Hastings acquired nearly the whole of the Indian peninsula. The company could not obtain a renewal of their charter without a loan to Government, and in 1833 their trading privileges were taken away. Their dividends had to be paid by means

of taxes levied on the people of India. The wars that have occurred since that time have been waged by this country as a nation, and not by the company. The last charter would have remained in force until 1873, had it not been for the Sepoy rebellion in 1857. Notwithstanding a vigorous resistance, the company were then compelled to give up their powers, and it was resolved that the management of India should be concentrated in the hands of the British Government. In 1858, the whole of the company's powers were transferred to the Crown. The East-India Company is still in existence, but solely for the purpose of receiving and paying dividends.

EAST-INDIA ARMY.—As the East-India Company increased in power, it became possessed of an army. A few regiments were raised in England; but more in India, recruited from Hindoos and Mahomedans, and drilled and commanded by English officers. The company also employed and paid the home Government for 24,000 royal troops. Besides that force, it had in its own army, just before the great mutiny of 1857, 18,000 European troops; enlisted in England, and 240,000 native troops. This immense force formed three distinct armies, each stationed in one of the three Presidencies, Bengal, Bombay, and Madras. In 1861, an Act was passed for the reorganization of the Indian army, which was placed under imperial control. The 21st Hussars, the 10th, 10th, 10th, 10th, and 10th Light, were formed from the European troops previously in the service of the East-India Company.

EASTER, *east-er* (Sax., *eastre*), a feast held by the Christian church in commemoration of the resurrection of our Saviour. It is a movable feast, occurring at any date between March 21 and April 25; and by it the other movable feasts throughout the ecclesiastical year are regulated. It is held about the same time as the Jewish Passover, or Paschal feast, although it very seldom happens that the Christian and Jewish festivals are observed on the same day. In the Greek and Latin churches Easter is still called Pascha, from the Jewish name for the feast of the Passover. The term Easter has been derived from various sources; some taking it from the Saxon *oster*, "to rise," and others from the name of a heathen goddess, *Eostre* or *Ostara*, whose rites the Saxons were accustomed to celebrate at this time of the year, and on account of which the month of April was styled *Eosternomoth* in their calendar. It was a period of rejoicing with them, on account of the return of spring and the renewal of vegetation; and the name and the accompanying simple ceremonies that attended the festival, such as *egg-dancing*, &c., were early adopted by the Christians, even in Britain, which taught that it was to be observed as a season of rejoicing, as it was held in commemoration of the resurrection of our Saviour. In the early church this festival lasted for some days, and catechumens were then usually admitted to the rite of baptism. At present its celebration is confined in the Church of England to Easter eve, Easter Sunday, and the Monday and Tuesday in Easter week. In the Roman Catholic church it is a time of enjoyment, because the restrictions imposed during the preceding period of Lent are no longer to be observed. Coloured eggs are commonly interchanged in families and among friends in Russia and all countries in which the Greek faith is established, and a similar practice has recently become fashionable in this country. There were

many popular observances of Easter in many parts of England; such as eating tansy cakes and puddings; but these have fallen into disuse. In determining the day on which Easter is to be held, the council of Nice, in 325, decided that it was to be celebrated on the Sunday following the 14th day of the first month of the Jewish year, on which the Latin or Western church had been accustomed to hold it; and on the introduction of the Gregorian calendar, a table was constructed, based on the Metonic cycle, by which Easter was to be found, and which the Church of England still uses. In the Book of Common Prayer, we are told that "Easter Day is always the First Sunday after the Full Moon, which happens upon or next after the Twenty-first Day of March; and if the Full Moon happens on a Sunday, Easter Day is the Sunday after." Now, the moon above alluded to is not the moon of the heavens or the mean moon of the astronomers, but an imaginary moon, the movements of which follow the movements of the real moon by an interval of a day or two. Therefore, when "full moon" is spoken of in the directions regarding Easter given above, we are not to take it as the time when the moon is at the full in the heavens about this period, but the 14th day of the imaginary moon of the calendar, which falls upon or next after March 21 in any year. To find this 14th day, or "full moon," of the calendar, and consequently Easter-day, we must have recourse to the table below, taken from the Prayer Book. Having found the golden number for the year (see GOLDEN NUMBER), look for it in the first column of the table; and the date which is in a line with it in the second column, is the day of the full moon of the calendar. Next find the Sunday or Dominical letter for the year (see DOMINICAL LETTER), and the date which is opposite the first occurrence of the Sunday letter in the third column, reckoning in all cases from that letter in the column which is in a line with the date of the full moon already found, will give the day of the month on which Easter Sunday falls. If the Sunday letter is the same as that which is in a line with the date of the full moon, Easter Sunday will be seven days after, as the coincidence of the Sunday letter and the date of the full moon in the same line shows that the full moon of the calendar falls on a Sunday.

Gold. Num.	Days of the Month.	Sun. Let.	Gold. Num.	Days of the Month.	Sun. Let.
14	March 21	C	1	April 8	G
3	" 22	D	15	" 9	A
11	" 23	E	4	" 10	B
10	" 24	F	14	" 11	C
8	" 25	G	12	" 12	D
7	" 26	A	5	" 13	E
6	" 27	B	13	" 14	F
5	" 28	C	9	" 15	G
4	" 29	D	17	" 16	A
3	" 30	E	10	" 17	B
2	" 31	F	6	" 18	C
1	April 1	G	16	" 19	D
15	" 2	A	11	" 20	E
13	" 3	B	18	" 21	F
12	" 4	C	7	" 22	G
11	" 5	D	19	" 23	A
10	" 6	E	8	" 24	B
9	" 7	F	1	" 25	C

The above table is available in finding Easter for any year from 1700 to 1899 inclusive. To make

it available for any year between 1900 and 2100 inclusive, every number in the column of golden numbers must be shifted into the line immediately below it, except 17 and 6, which remain where they now are.

Easter Offerings, or *Easter Dues*, are small sums commonly paid by each person when he receives the Lord's supper at Easter to the clergyman. They are due of common right, and not by custom only.

Easter Term, one of the law terms observed in England. Its commencement formerly depended upon the movable feast of Easter; but by statutes passed in the reign of George IV. and William IV., Easter term was begun on the 15th of April and ends on the 8th of May. If any of the days between the Thursday before and the Wednesday after Easter fall within term, no sittings or sittings are held on those days, and the term is prolonged a corresponding number of days.

EASTERN EMPIRE. (See *BYZANTINE*.)

BAVESDROP, *ceet-drop* (Lat., *stillicidium*), is the water which drops from the eaves or roof of a building, or the space left outside the walls of a house for the rainwater to escape. Among the Romans, unless a man had a servitude of *stillicidium* over his neighbour's property, he was obliged to keep at a certain distance within his own building; for no one was obliged to receive on his own property the water which fell from his neighbour's house. Laws to the same effect exist in most modern countries.

EBELIANS, *e-bi-li-ans*, a German revival sect, which began at Königsberg about 1830, the teachers being Ebel and Dr. Diestel, who were tried and condemned in 1839, for unsound doctrine and impure lives, but the sentence was annulled three years afterwards. The popular epithet for the sect is "Mucker," meaning hypocrites. They have a theory and practice of spiritual marriage.

EBIONITES, *eb-i-o-nites* (Heb., *ebion*, poor, low; used by the Jews as a term of contempt), a sect of Jews who professed Christianity to a certain extent, and seemed to have consisted of two different classes, the first of which was to be found in the Holy Land in the 1st and 2nd centuries of the Christian era; while the second existed in Syria, especially in the neighbourhood of Borsen, at the latter end of the 4th century and the beginning of the 5th. The early Ebionites denied the divinity of our Saviour, believing him to be a mere man, the son of Joseph and Mary, pre-eminently a Jew, and selected as the Messiah because of his superior Judaism, but allowing the truth of his resurrection from the dead, and looking for his second coming to restore the Jewish kingdom upon earth to a greater state of splendour and power than it had ever before enjoyed. They seem to have been a moral sect, adhering to the Mosaic law. They acknowledged the Gospel of St. Matthew only, but struck out all parts which related to the divinity of our Saviour. The later Ebionites were distinguished from those by allowing the supernatural birth of our Saviour, although they did not believe in his pre-existence as the second person of the Trinity. They also used the Gospel of St. Matthew, but rejected the Acts of the Apostles and the Epistles of St. Paul.

ECCLESIA, *ek-kle-si-a*. The general assembling of Athenian citizens, which met from time to time to discuss public affairs. Ordinary ecclesia were held four times in thirty-five days; extraordinary ecclesia were only summoned on some pressing emergency.

ECCLESIASTES, OR THE PREACHER, *ek-kle-si-as-tēs*, is the name of one of the canonical books of the Old Testament, placed after Proverbs and before the Song of Solomon. These names are a translation of the Hebrew title *Kohleth*, the former of the two being adopted from the Greek Septuagint. There is no room to doubt the canonicity of this book. It has occupied a place in the Jewish canon from the earliest times, and has been universally received by the Christian church. From some passages in the Talmud, however, some seem to have questioned the expediency of placing it among the Scriptures that were read publicly, on account of its containing "words tending to heresy" and "words contradictory to each other." According to tradition, this was among the Scriptures which were not allowed to be read by any one under the age of thirty. Numerous questions have been started regarding the authorship, date, design, and plan of this book. Many critics contend that it could not have been written by Solomon, which is the generally received opinion, on account of numerous foreign and modern words that occur in it. In favour, however, of the common opinion, there is the unqualified testimony of the book itself, the author speaking of himself as the son of David, king of Israel, and the greatest possessor of wealth and wisdom in Jerusalem. The long intercourse of Solomon, too, with the representatives of foreign nations, and his foreign wives, would necessarily lead to the introduction of numerous foreign words and phrases in his writings. The book is generally believed to have been written in his old age, after he had experienced all the pleasures and follies of life, and was able to testify to their being all vanity and vexation of spirit. The plan and scope of the book are very obscure, and have given much trouble to commentators who have characterized it in the most conflicting terms. Some have regarded it as a series of dialogues and disjointed narratives, rival poems, literary discussions, ethical aphorisms, and unfinished practical essays. The most plausible ground for regarding it as the work of a variety of authors arises from the frequency and abruptness of its transitions and the apparent want of any fixed plan. The great theme of the book is the vanity of all earthly things and labours: with this it begins, and with this it closes. It is as far removed as possible from the character of a formal treatise—being the confessions of a man of wide experience, of his searches after truth and happiness, of his many disappointments, and of his ultimate success.

ECCLESIASTIC, OR ECCLESIASTICAL, *ek-kle-si-as-tik* (Gr., *ekklesia*, the church), denotes something belonging to, or set apart for the church, in opposition to civil or secular, what pertains to the world. There are ecclesiastical things and persons; ecclesiastical law, jurisdiction, history, ceremonies, discipline, &c. Ecclesiastical persons are those whose functions consist in performing the service and maintaining the discipline of the church.

ECCLESIASTICAL COMMISSIONERS.—In 1835 certain royal commissions were issued, directing certain persons therein named to consider the state of the several dioceses of England and Wales, with reference to the amount of their revenues and the more equal distribution of the episcopal duties; and also

the state of the cathedral and collegiate churches, with a view to the suggestion of such improvements as might render them most conducive to the efficiency of the established church; and further, to devise the best mode of providing for the cure of souls, with special reference to the residence of the clergy in their benefices. These commissioners, comprising, among others, the English archbishops and bishops and the chief members of the government, recommended various improvements in our ecclesiastical system; in consequence of which act 6 and 7 Will. IV. c. 77, was passed, forming certain prelates and laymen of distinction into a body corporate, under the name of "The Ecclesiastical Commissioners for England," and empowering them to mature and submit to the queen in council such plans, as might be best adapted to give effect to the recommendations of the commissioners. And it was enacted that such plans, when ratified by order in council, should have the force of law. In order to provide funds for the carrying out of the objects of the Commission, the seven best endowed Episcopal sees were made to contribute annually £22,800, several canons were abolished and other ecclesiastical preferments were extinguished, the emoluments being vested in the commission. The Ecclesiastical Commissioners have made numerous alterations in our ecclesiastical system, which have been embodied in orders in council. Among them are the erection of new bishoprics, and the union of the sees of Gloucester and Bristol; the augmentation of the revenues of the smaller bishoprics from those of the larger, without prejudice to the rights of existing prelates; the suppression of numerous sinecures; the making better provision for the cure of populous parishes; and such like. The corporation, as originally constituted, consisted of thirteen members; of whom five were episcopal. In 1840 the constitution of the board was materially altered, and, besides the two archbishops and the five members of the government, the corporation was made to include all the bishops of England and Wales, three deans, and six common law, equity, and ecclesiastical judges; together with nine permanent lay commissioners, seven of whom are in the appointment of the crown and two in that of the archbishop of Canterbury. All members of the commission must be members of the Church of England. By 19 and 20 Vic. c. 55, all the duties, powers, and authorities of the Church-building Commissioners are transferred to the Ecclesiastical Commissioners. By 13 and 14 Vic. c. 94, the commissioners are required to lay an annual report before the Secretary of State, to be by him submitted to Parliament, of all their proceedings for the current year.

ECCLESIASTICAL CORPORATIONS are corporations the members of which are spiritual persons. They are either aggregate or sole; in the former case being composed of a number of persons, as the dean and chapter of a cathedral; in the latter, consisting only of one; as a bishop, rector, or vicar. By the law of England, every holder of an ecclesiastical benefice is regarded as a corporation, the temporalities of which fall to his successors and do not descend to his heirs.

ECCLESIASTICAL COURTS are courts in which the archbishops and bishops adjudicate upon matters pertaining to religion and the

clergy. No separate ecclesiastical courts existed anterior to the Norman Conquest. William I. gave forth a charter, whereby it was enacted that no lay tribunal should take cognizance of matters affecting the clergy or the Church, and that no bishop should take cognizance of secular matters. According to Coke, these tribunals judged and determined causes ecclesiastical and spiritual; namely, blasphemy, apostasy from Christianity, heresies, schisms, rights of matrimony, divorces, reparation of churches, probate of testaments, &c. By an Act of Parliament which came into operation in January, 1858, the jurisdiction relating to the granting or revoking of wills and letters of administration was transferred to the Court of Probate; and by the Act 20 and 21 Vic. c. 85, which created a total change in the law of divorce of England, the exclusive jurisdiction relative to matters matrimonial was transferred from the ecclesiastical courts to the Court for Divorce and Matrimonial Causes.

ECCLESIASTICAL HISTORY is generally limited to an account of the interior and exterior development of the Christian Church, its organizations and various doctrines.

ECCLESIASTICAL LAW. (See CANON LAW.)

ECCLESIASTICAL TITLES ASSUMPTION ACT, a measure introduced by Lord John Russell in 1857, in consequence of an edict issued by the Court of Rome dividing Great Britain into temporal bishoprics, under an archbishop of Westminster. The Act (14 and 15 Vic. c. 60) prohibited the assumption of titles, as archbishops, bishops, or deans, under a penalty of £100 for every contravention of the Act. In 1871, the Act was repealed.

ECCLESIASTICAL YEAR. (See YEAR.)

ECCLESIASTICUS, or **THE WISDOM OF JESUS THE SON OF SIRACH**, *ek-kle-ze-ak-tik-us*, the name of an apocryphal book of the Old Testament, said to have been originally written in Syro-Chaldaic, by Jesus the son of Sirach, a learned Jew; but the exact time in which he lived is uncertain. The book, originally composed in Aramaic, was translated into Greek, with an introduction by his grandson, probably about B.C. 130. It is destitute of any systematic arrangement, and consists chiefly of meditations and proverbs relating to religion and the general conduct of life. Its general tone, however, is ethical rather than religious, in some measure resembling the book of Proverbs; and hence some have been led to attribute it to Solomon. The sentiments are sometimes profound and the style highly poetical.

ECCLESIOLOGY, *ek-kle-ze-ol-o-je* (Gr., *ekklesia*, the church, and *logos*, a word or discourse), a term applied to the study of ecclesiastical architecture and ornament, as well as of the vestments and ceremonies belonging to the Anglo-Catholic Church. It is a branch of archaeology.

ECLECTICS, *ek-lek-tiks* (Gr., *eklego*, I choose or select), is a name given to such philosophers as, without attaching themselves to any particular system, or forming one of their own, professed to select from the various existing systems what they believe to be true, and thus to construct a new and complete whole. The name originated with the Alexandrian philosophers, or

Neo-Platonists, who professed to gather and unite into one body whatever was true in all the systems of philosophy. The chief representatives of this school are Plotinus, Porphyry, Iamblichus, Proclus, and Clemens Alexandrinus. Modern eclecticism is considered to have taken its rise in the 17th century with Bacon and Des Cartes, but it has recently received a fresh impetus through the labours of the German philosopher Hegel. * The most eminent later supporter of this system was Victor Cousin.

ECONOMISTES, *ai-kon'-o-miste*, a French philosophical sect founded in the latter part of the 18th century, by François Quesney, who exalted agriculture above all other arts, and advocated freedom for industry and trade. His writings are said to have greatly influenced Adam Smith, the author of "The Wealth of Nations."

ECONOMY, POLITICAL. (See POLITICAL ECONOMY.)

ECUMENICAL, *e-ku-men'-i-kal* (Greek, *oikoumenikas*, universal), a term applied to ecclesiastical councils regarded as representing the whole Christian church. The designation is peculiar to the Roman Catholic church, which has held 15 ecumenical councils.

EDEN. (See PARADISE.)

EDICT, *e'-dikt* (Lat., *edico*, I proclaim or publish), is something that is given forth, or proclaimed, by competent authority, as a rule of action, more particularly an order, or ordinance, issued by a prince to his subjects, to serve as a law. In ancient Rome, the ordinances of the magistrates, but particularly of the two praetors, were called edicts. The edicts of a preceding praetor were not binding upon his successor, unless he confirmed them. In the reign of Hadrian, the praetor Salvius Julianus, an eminent lawyer, made a digest of the best of the praetorial edicts from the earliest times, which was ratified by the emperor and senate, and ordained to be always considered as law. By this *edictum perpetuum*, or perpetual edict, the standard of civil jurisprudence was at length fixed. From that time the power of making edicts was taken from the magistrates, and vested in the emperors. The celebrated edict of Milan was issued by the emperor Constantine after the conquest of Italy (A.D. 313), and granted to the Christians and others full liberty in the exercise of their religious duties.

Edict of Nantes.—An edict by which Henry IV. of France granted toleration to his Protestant subjects. It was revoked by Louis XIV. on the 22nd of October, 1685. A persecution and massacre of Protestants ensued; 50,000 families fled from France, and thousands of skilled artisans found protection and encouragement in Germany and England. We owe to this influx of Protestants the silk manufacture of Spitalfields and other important industries. In France, the term edict (*édit*) has a very wide signification, being applied to every proclamation of the government, of whatever kind.

EDICTAL CITATION, *e-dik'-tal*, by the law of Scotland, is the mode of citing before a civil court, one who has no fixed domicile in the country, and cannot be cited personally—a foreigner, or one who is abroad. Formerly, in such a case, the citation was published at the market-cross of Edinburgh, and pier and shore of Leith; but by 6 Geo. IV. c. 120, and 13 and 14 Vic. c. 35, this is now done by the delivery of copies at the office of Edictal Citations in the

Register-house, Edinburgh, where they are preserved for three years, and abstracts of them published every fortnight.

EJECTMENT, *e-jekt'-ment* (from Lat., *e*, out, and *jacere*, cast), is the name of an action at law, by which a party entitled to the immediate possession of lands or other corporeal hereditaments may recover that possession from the party wrongfully withholding it. Until abolished by the Common Law Procedure Act, of 1852, this action exhibited the most remarkable string of fictions then recognised by the courts of common law. This was by an action commonly known as *John Doe v. Richard Roe*. (See DOE, JOHN.)

ELDER, *el'-der*, the comparative degree of the Aug.-Sax. *eld*, denoting one who is older than others; and hence an overseer or ruler. In the ancient Jewish polity, the elders were persons of considerable age and experience, and who consequently obtained certain power and influence over others. Moses associated with himself in the government seventy of the elders of Israel, which, according to the generality of interpreters, was the beginning of the Sanhedrin (which see). Every city, also, had its elders, who seem to have possessed a certain local jurisdiction. In the New Testament, the term elder is employed to designate a certain class of officers in the church, regarding the office and duties of whom there are various conflicting opinions. Whether the elders were lay officers of the church, has long been matter of dispute. It appears certain, however, that the elders mentioned by St. Paul (1 Tim. v.) did not hold the same office as those in the Presbyterian churches, but "laboured in word and doctrine." It is said that Calvin admitted lay elders into church courts on what he conceived to be the sanction of the primitive church; and "as an effectual method of preventing the return of inordinate power in a superior order of clergy." Elders, in the Presbyterian church, are certain laymen who are elected and ordained for ecclesiastical office, and who, in conjunction with the minister and deacons, compose in Scotland the kirk session. The number of elders is proportioned to the extent and population of the parish, and they are usually persons of tried character and Christian excellence. They have no right to teach or to dispense the sacraments; but in every question of jurisdiction within the parish, they form a spiritual court, of which the minister is officially moderator; and in the presbyteries, synods, and General Assembly, they sit as representatives of the several sessions or consistories. Their duties, in many respects, now correspond to those of churchwardens in the Church of England.

Elder Brothers of the Trinity House. (See TRINITY HOUSE.)

ELEATICS, *e-le-at'-iks*, the name of an ancient sect of philosophers, so called from Elea, a Greek colony of lower Italy, which was in all probability the residence, in his later years, of Xenophanes (about 530 B.C.), the founder of this sect, and the principal seat of its cultivation; for its great propagators, Parmenides and Zeno, were natives of this town. The Eleatic school is pre-eminently distinguished from the Pythagorean and Ionian by the recklessness with which it strove to attain to an exclusive knowledge of the supra-sensible. They attempted to construct a system of the universe upon metaphysical principles, and maintained that the

sources of all truth was something independent of and superior to sense. Their system was a monotheism, or rather a pantheism. They opposed the polytheism of the times by maintaining the infinity and self-existence of One; but they could not separate that One from the world. The apparent changes of the universe they regarded as mere illusions of sense, the Infinite being without change or corruption.

ELECTION, *e-lek-shun* (Lat., *electio*, a choice, selection), in a general sense, is the act of selecting one or more from a greater number, for any use or purpose. In Law, it is also when a man is left to his own free will to take or do one thing or another, which he pleases. It is the obligation imposed upon a party to choose between two or more inconsistent or alternative rights or claims, where he cannot enjoy the benefits of both.

In Theology, the doctrine of "election," as defined by some of the highest authorities, and held by some sects, is most perplexing and painful. The Articles of the Church of England describe election as "God's everlasting purpose, whereby He shall constantly decree by His secret counsel to deliver from curse and damnation those whom He has chosen in Christ out of mankind, and to bring them by Christ to everlasting salvation, as vessels made to honour." Accepting this, it would almost appear to be a logical necessity to accept also the doctrine of reprobation—that is, the exclusion of some from the chance of salvation. This great doctrinal difficulty led to the splitting up of the Reformed Churches into two great divisions, Arminians and Calvinists. The former attribute to the knowledge of God of the results of the freedom of the human will, the declaration that some are *elect* and some reprobate; the latter maintain the doctrine of an absolute and arbitrary supremacy having no relation whatever to human will or conduct. (See ARMINIANISM, CALVINISM, and PELAGIANISM.) The difficulties and contentions seem to arise from the utter inability of the human mind to understand the Divine mind. "Can man by searching find out God?" (See PREDESTINATION.)

ELECTION OF MEMBERS OF PARLIAMENT.—(See BALLOT and PARLIAMENT.)

ELECTOR, *e-lek-tor*, (Lat., from *electum*, supine of *eligo*, to choose), a dignity which is now merely nominal, the privileges that were formerly attached to it being lost. The last German Prince who claimed the title was the Elector of Hesse-Cassel, but his dominions were annexed to Prussia in 1866. It was originally applied to the high potentates of the empire, who claimed the right of participating in the election of the emperor. By the Golden Bull of Charles IV. of Germany, which was accepted and confirmed by the diet of Nuremberg in 1356, the exercise of this privilege was restricted to a few of the leading princes and ecclesiastics, and it ultimately became hereditary in certain families, and confined to the king of Bohemia, the electors of Brandenburg and Saxony, the elector palatine of the Rhine, and the archbishops of Cologne, Treves, and Mayence. Bavaria became an electorate under Maximilian the Great in 1623, and Hanover in 1692, under Ernest Augustus, bishop of Osnaburg. In 1778, Bavaria was united to the palatinate of the Rhine, and the number of electorates was reduced to eight. Some minor electorates were created at the commencement of the present century, after the peace of Lunéville; but the privileges of the dignity were lost at the dissolution of the Holy Roman empire by Napoleon in 1806, the last emperor, Francis II., having abandoned the title of emperor of Germany for

that of emperor of Austria in 1804. The title had fallen into disuse, to a certain extent, long before this event, from the elector of Brandenburg having become king of Prussia in 1701, the electors of Saxony kings of Poland in 1707 and 1733, and the elector of Hanover king of Great Britain and Ireland in 1714. Bavaria, Saxony, and Hanover were erected into kingdoms in 1805, 1806, and 1814 respectively, when the rulers of each finally abandoned the title of elector for that of king.

Electoral Crown or Cap.—A sashet cap, turned up with ermine, closed with a demicircle of gold, covered with pearls, with a golden globe and cross on the top. It was worn by the electors of the empire.

ELEEMOSYNARY, *el-e-mo-si-na-ry* (Gr., *eleemosune*, alms), of or belonging to alms or charity. In the early church, the *elemosynarius*, or almoner, was a peculiar officer, who received the elemosynary rents and gifts, and distributed them to pious and charitable uses. (See ALMONER.) In Law, elemosynary corporations are corporate bodies constituted for the perpetual distribution of the free alms or bounty of the founder of them, to such persons as he has directed. Of this kind are all hospitals for the maintenance of the poor, sick, and impotent.

ELEGIT, *e-le-jit* (Lat., *eligo*, I choose—because it is the choice or election of the plaintiff), is the name of a writ of execution founded on the Second Statute of Westminster (13 Edw. I. c. 18), by which, after a plaintiff or defendant has obtained judgment in an action, the sheriff gives him possession of half the lands and tenements of the opposite party, to be occupied and enjoyed until the money due on such judgment is fully paid, and during that period he is tenant by elegit. The statute 1 and 2 Vic. c. 110 enables the plaintiff by this writ to seize the whole, instead of only half of the defendant's lands and tenements. Upon this writ the sheriff impanels a jury, who appraise the debtor's goods and lands, and if the former are insufficient to pay the debt, then the latter are also delivered over to the creditor.

ELEPHANT, ORDER OF THE.—A Danish order instituted by King Frederick II., about the middle of the 18th century. The badge was a collar of elephants carrying towers, and having at the end a figure of the Virgin Mary.

ELEUSINIAN MYSTERIES, *el-eu-sin'-e-an mis-ter-eez*, a term applied by the ancient Greeks to the festival and sacred rites originally celebrated only at Athens and Eleusis, in honour of the goddess Ceres. It was considered the holiest and most venerable of all the festivals of Greece. There are several traditions current as to its origin; and many of the mysteries are unknown, as they were so superstitiously observed, that any person who revealed any of the religious ceremonies was put to death. Bishop Thirlwall, the historian of Greece, suggested that they might be the remains of a worship which preceded the rise of the Hellenic mythology. The first Eleusinia festivals are generally attributed to a tradition that Ceres, or Demeter, as she was called by the Greeks, while seeking for her lost daughter Persephone, overwhelmed with grief and fatigue, rested upon a stone called "the sorrowful stone," near a well at Eleusis. Round this well the Eleusinian women first sang their choruses, and instituted the first mysterious rites. In after-

time the festival was divided into two classes: the greater and lesser mysteries. The latter was considered a preparation for the former, and was held at Agræ, on the Ilissus. The celebration at Eleusis commenced in the third month of the Attic year, and lasted about nine days. The initiated were called *epoptai* or *epaurri*. On the first day those who had been initiated in the lesser mysteries met together at Athens; hence it was called *agauris*, "an assembly." A large number of strangers also crowded to Athens at the same time. On the second day the initiated purified themselves by ablutions; hence it was called *stade moure*—"to the sea, ye initiated!" Very little is known with certainty about the proceedings on the third day. It seems to have been held as a day of fasting, a frugal meal of cakes made of serape and honey being taken in the evening. Sacrifices were also offered up, principally consisting of sea-fish and barley cakes. The fourth day was devoted to a procession, with a basket containing pomegranates and poppy-seeds. It was carried on a waggon drawn by oxen, which women followed, bearing in their hands mystic cases, while the spectators shouted, "Hail, Ceres!" as the procession passed. The fifth day was called the Day of the Torches. The initiated went by torchlight on the evening of this day to the temple of Ceres at Eleusis, where they seem to have remained. This custom is supposed to have been symbolical of Ceres wandering in search of her daughter. The sixth, Iacchos, in honour of Iacchus, the son of Ceres. The statue of Iacchus, adorned with a garland of myrtle, and bearing a torch in his hand, was carried along the Sacred Road, amid shouts of joy and songs, from the Ceramieus to Eleusis. Great numbers of persons accompanied this procession. On the night between the sixth and seventh days, the initiated remained at Eleusis, and those who were with *mistai* (initiated in the lesser mysteries) not *compiti* were sent away by a herald, and the last mysteries were begun. The *mistai* repeated the oath of secrecy which they had sworn at the lesser mysteries, underwent a new purification, and were led by the mystagogues, in the darkness of night, into the lighted interior of the sanctuary, and were allowed to see what none but the *epoptai* over beheld. The later writers speak of the rites connected with the oath as being of an awful and horrible character. This probably arose from ignorance, as the earlier writers mention nothing of the kind. On the seventh day the initiated returned to Athens with great mirth, and amid great raillery and jests from the spectators, especially at the bridge over the Cephissus. The eighth day was called *Epidauria*, and was a kind of additional; for those who, by some accident, had come too late or had been prevented from being initiated on the sixth day. On the ninth day, the principal ceremony consisted in the filling of two earthen vessels with water or wine; the contents of one were then thrown to the east, and those of the other to the west, while the priests who performed the libation uttered mystical words. Every freeborn Athenian was compelled to be initiated into the Eleusinian mysteries: Slaves, prostitutes, and those who had forfeited their citizenship, were excluded. During the time of the celebration of the mysteries, no one taking part in the ceremonies could be arrested, either for debt or for any offence. The chief priest was called the Hierophant, and the second dignitary the Daduchus, or torchbearer. After them came the sacred herald and the priest at

the altar. The Eleusinian mysteries survived the independence of Greece for a long time. Attempts were made under the emperor Valentinian to suppress them, but unsuccessfully: they appear to have continued to the time of the elder Theodosius.

ELEVATION, *el-e-rai'-shun* (Lat., *e, and levo, I raise*), in the ceremony of the Mass in the Roman Church, is the raising, first, of the host, and then of the cup to receive the homage of the people as the body and blood of Jesus Christ—the priest himself previously performing the act of adoration by a deep genuflection. At the elevation a bell is rung for the people to look upon the host. This ceremony was introduced into the Latin Church in the beginning of the 12th century.

ELOHIM, *el'-o-him*, the plural form of the Hebrew *Eloah*, which, joined to the singular verb, denotes the One God. In that way it is generally used in the Old Testament, for, or together with, Jehovah (see *JEHOVAH*); but some of the books employ one or the other title exclusively. In this fact, some Biblical critics see reason for supposing that the book of Genesis was the work of more than one author. (See *GENESIS* and *PENTATEUCH*.) Some commentators on the Talmud have supposed that Elohim indicates a God of justice, and Jehovah a God of mercy.

EMANATION, *em-a-nat'-shun* (Lat., *emanare*, to emanate, issue, or flow out), in the ancient systems of philosophy, is applied to that doctrine which regards all created things as emanations from the Supreme Being. In this view there was no spontaneous creation; but all things issued necessarily out of the Divine fulness. This doctrine came from the East, and exerted a powerful influence on the systems of ancient Greece, particularly the Pythagorean. Traces of it are also to be found in the Hindoo mythology of the present day. In theology, the doctrine of emanation has been employed to explain the relationship among the persons of the Trinity, the Son and Holy Ghost being regarded as effluxes or emanations from the Father.

EMANCIPATION. (See *SLAVERY*.)

EMANCIPATION, ROMAN CATHOLIC. (See *ROMAN CATHOLIC EMANCIPATION*.)

EMBARGO, *em-bar'-go* (Sp., *embargar*, to bar in, or arrest), is an order or prohibition imposed by the public authorities of a country on vessels to prevent their leaving its ports. Embargoes are usually resorted to only in time of war, and are of various kinds. On the breaking out of a war, it is usual for a government to lay an embargo on all vessels of the enemy within reach, in order that they may be declared prizes. When it is necessary to conceal any important movement from the enemy, an embargo may be laid upon all vessels, native and foreign, that may be the means of conveying information; and an embargo may also be laid by Government upon ships belonging to its subjects in order to employ them in the service of the country.

EMBASSY, *em'-bas-se* (Fr., *ambassade*), a term applied in general language to a diplomatic mission. In a more restricted sense, however, an embassy is a mission presided over by an ambassador, and is distinguished from an ordinary legation or mission which is intrusted to an envoy or other subordinate authority. (See *AMBASSADOR*.)

EMBER-DAYS, *em-ber*, are certain days of the year set apart by the Church for prayer and fasting, the weeks in which they occur being termed *Ember-weeks*. The derivation of the term is doubtful. According to some, it is derived from the Greek *hemera*, days: according to others, from the Saxon *umbrén*, a circle or revolution. The *Ember-days* are the Wednesday, Friday, and Saturday after the first Sunday in Lent, after the feast of Pentecost, after the 14th of September, and after the 13th of December. They were first appointed to be observed by Pope Calixtus in the 3rd century, for imploring the blessing of God on the fruits of the earth, and also for the grace of the Holy Ghost upon the ministers ordained at these times. The Sundays immediately following these seasons are appointed by the canons of the Church of England for the ordination of priests and deacons. The observance of the *Ember-days* is confined to the Western Church.

EMBEZZLEMENT, *em-bez'-al-ment* (Nor., *embeusiler*, to fitch), the fraudulent appropriation by clerks, servants, or others, of money or goods intrusted to their care, or received by them on account of their employers. It is essential to the crime of embezzlement that the article taken should not have been in the actual or constructive possession of the employer. If it were, the offence would be larceny. Embezzlement is not an offence at common law, and hence offenders were suffered to escape, until it was made a felony by 30 Geo. III. c. 35. By 7 and 8 Geo. IV. c. 29, embezzlement is declared to be larceny, and punishable with transportation or imprisonment. By the Criminal Justice Act (14 and 15 Vic. c. 100) it is further made competent to convict for embezzlement persons indicted for larceny, and *vice versa*. Persons employed in the public service embezzling money or valuable securities are deemed guilty of felony, and liable to penal servitude or imprisonment. For embezzling, stealing, or destroying Her Majesty's military stores to the value of twenty shillings, the offender is liable to penal servitude or imprisonment; under twenty shillings, to fine, corporal punishment, or imprisonment. By the Fraudulent Trustees Act (20 and 21 Vic. c. 54), provision is made for the punishment of fraudulent misappropriations by bankers, brokers, factors, and other agents, of moneys or property intrusted to them.

EMBRACERY, *em-bras'-e-ry*, an old law term for the offence of influencing jurors by corrupt means to deliver a partial verdict. Fine and imprisonment are the penalties of the offence, and that applies to the jurymen also.

EMIGRATION, *em-e-gra'-shun* (Lat., *e*, and *migrare*, to remove to another place to dwell in), is the movement of one or a number of persons out of one place or country with a view to their settling in another, into which they are said to *immigrate* (Lat., *in*, and *migrare*). As commonly used in the present day, however, the term has a more limited sense, being applied to the leaving of an old and thickly-peopled country to settle in one but sparsely inhabited. The great emigration fields at present are the British possessions and the United States of North America, Australia, New Zealand, and South Africa. It was long a prevalent notion that emigration, as tending to weaken a nation, ought to be discouraged; but other views on this subject now prevail, and the Government

has adopted various measures for the encouraging of this movement. In 1831 a government commission on emigration was formed, by which officers were appointed both at home and in the North-American colonies to watch over the interests of emigrants, and to furnish them with necessary information. In 1840 commissioners were appointed under the royal sign manual to act as a land and emigration board. This board formed at first a subordinate department of the Colonial office, but was subsequently placed under the direction of the Board of Trade. It regulates the sale of the waste lands of the crown throughout the colonies, and applies the proceeds of such sales towards the removal thither of emigrants from this country. It is the duty of the commissioners to see that the provisions of the *Passengers Acts* (15 and 16 Vic. c. 41, and 18 and 19 Vic. c. 119) are observed, which they do by means of agents, established at the several outports, who examine into the seaworthiness and fitment of emigrant vessels, the amount of provisions and water on board, the number of passengers, their healthy condition, and the various other matters required by the act. These agents further procure and give gratuitously information as to the sailing of ships and the means of accommodation for emigrants, and whenever applied to for that purpose they see that all agreements between shipowners, agents, or masters, and intending emigrants, are duly performed. Emigration is one of the modes of relief provided by the Poor Law Amendment Act, 4 and 5 Will. IV. c. 76, which empowers owners and ratepayers to raise money on security of the rates for the purposes of emigration. Free emigration can rarely or never be detrimental to a country, and there are many cases in which it is highly expedient to aid and encourage it. It is a subject, however, respecting which much delusion exists on the part of the emigrants themselves, who are apt to encourage the delusion that change of place must produce change of fortune. Dazzled by the prospect of becoming absolute owners of hundreds of acres of land, hosts of people entirely unacquainted with agricultural matters, have crossed the seas only to find the reality of the starvation abroad, which they dreaded at home. The pioneers of a colony must be rough hardy men; and when they have cleared the way, skilled mechanics and traders with moderate capital may follow. At first, clerks and other soft-handed people are useless encumbrances. Sometimes, as in the case of California or Australia, the discovery of gold has attracted hundreds of thousands to a particular place, but not as emigrants in the true sense of the term. The gold-diggers went with the hope of becoming speedily rich, not of settling and building up new communities. But new communities grew up in and around the auriferous districts, and each township had wants to be supplied, and agricultural and pastoral pursuits were necessarily followed; mechanical skill was required, and there was money to invest in land, and pay good wages to skilled workmen. Small collections of huts speedily became busy towns, and the older towns of the colony, profiting by the influx of capital, grew into wealth and importance. Other colonies, with no special and overpowering attractions, as Canada, Western Australia, or New Zealand, have grown more slowly. Many of the earlier emigrants suffered greatly, but they cleared the way for their successors. Industrious, competent men found scope there which they could not command at home,

and living simply and working hard, secured a competence. Such colonies are an aid to the old country, offering a field for youthful activity and energy, and by an interchange of the productions for manufacture, creating a valuable commerce.

Emigration from the United Kingdom.—Official returns of emigration do not reach further back than 1815. In the six years, 1815-1820, inclusive, there were 123,528 emigrants of whom 70,438 went to British North America, and 50,359 to the United States. The returns do not record any emigration to Australasia (Australia, Van Diemen's Land, New Zealand, &c.) during the years 1815 to 1824, inclusive; but it appears from other sources that there went out in 1821, 320; in 1822, 875; in 1823, 543; in 1824, 780; and in 1825, 453 persons. The following figures represent the emigration from the United Kingdom in decennial periods and the destination of the emigrants:—

Years.	Emigrants.	United States.	British America.	Austral. Asia.	Other places.
1851-60	2,287,205	1,493,243	235,485	506,802	49,875
1861-70	1,907,570	1,424,466	195,450	280,198	67,056
1871-80	2,238,396	1,531,881	232,213	313,106	151,226

Under the heading "Other places," is included South Africa, to which, within the last three years, a greatly increased emigration has taken place. The total number of emigrants for the year 1881 was 392,514, of whom 307,273 went to the United States, 34,561 to British America, 24,023 to Australasia and 25,887 to other places. Altogether, from 1815 to 1881, 9,634,547 emigrants have quitted the ports of the United Kingdom—6,312,496 for the United States, 1,658,545 for British America, 1,325,622 for Australasia, and 337,884 for other places. The number of emigrants in 1881 was 60,220 above the number in 1880, and that year exceeded 1879 by 115,141, and 1879 exceeded 1878 by 69,500. In 1881 the number of emigrants was equivalent to more than 1,000 a day; but as 60,500 were foreigners, the greater number of whom had re-embarked at British ports, the actual loss of native population was about 600 daily. In the official report to the Board of Trade it is noticed that large figures of emigration occur in years of trade revival following a great depression. The number of Irish emigrants to the United States is very noticeable. In 1880 and 1881 the number was 150,357, and of a total of Irish emigrants to all places of 166,841. In 1881, 22,872 emigrants embarked at Liverpool; 44,617 at London; 42,135 at Glasgow and Greenock; 33,810 at Cork; 12,216 at Southampton; and 11,213 at Plymouth and Dartmouth. Of the 392,514 emigrants from the United Kingdom, 245,517 were males and 14,997 females. Of the men 22,211, and of the women 27,730 were married, and 44,174 were children not more than 12 years of age.

ÉMIGRÉS, *em'-e-graiz* (Fr.), a term applied to those individuals who left France during the great revolution. After the taking of the Bastille, the princes of the royal family, *Monsieur* (Louis XVIII.), the Count d'Artois (Charles X.), and the prince de Condé departed from France. They were speedily followed, in 1791, by all those who considered that their rights, privileges, and property had been interfered with improperly. Noblemen left their estates and domains; officers, with large numbers of private soldiers, priests, monks, and private individuals, passed over into Germany, Belgium, Holland, Switzerland, and Piedmont. Very few of the *émigrés* had been able to save any property, and the greater proportion were consequently soon in a dreadful state of destitution. The princes themselves formed a court at Coblenz, with a government, ministers, and a court of justice. Communications were kept up with the foreign courts, and thus the feelings of the revolutionary party in France were more and more embittered against them. At last a body of *émigrés*, under the command of the prince de Condé, followed the Prussian army into Champagne. The republican government immediately put the strongest laws

in force against the *émigrés*. Any person found assisting or favouring them in any way was condemned to death, and the lands of all *émigrés* were confiscated. Although many of them had refused to fight against their country, 30,000 persons were put upon the list, and condemned to perpetual exile from the soil of France. The last attempt made by the *émigrés* to penetrate into France by force of arms was in 1795, at Quiberon. The attempt was a failure, and the force belonging to the Prince de Condé was broken up after the peace of Luneville, and sought a refuge in Russia. Under the Directory, many of the *émigrés* tried to return to France, and in 1801 Napoleon I. granted them a general amnesty. By the largest proportion this was hailed with delight, and they returned to their native land. Many, however, did not return until after the restoration of Louis XVIII. Those who had remained loyal received many honours from the king, but were unable to regain their estates or their privileges, on account of the charter of 1814. In 1825, those *émigrés* who had lost their landed estates received a compensation of 30,000,000 francs yearly, on the capital of 1,000,000,000 francs. This grant was, however, repealed during the July revolution.

EMINENCE, *em'-i-nens*.—Previously to the pontificate of Urban VIII. in the early part of the 17th century, Cardinals of the Romish Church were addressed as Most Illustrious and Most Reverend. This title was changed to "Eminence."

EMIR, *em'-er* (Arab.), a title bestowed in the East upon all the real or supposed descendants of Mahomet, through his daughter Fatima. The term is also applied to all independent chieftains, not only in the East, but in the north of Africa. In Turkey, the prerogatives of the emirs are unimportant, the principal being their exclusive right to wear turbans of a green colour, which was a favourite of the Prophet. Those who are emirs from the mother's side are held in higher estimation than those from the father's. All the Turkish emirs are placed under the superintendence of the Emir-Beshir. The leaders, in case of war, during early Mahomedan history, were called emirs, and the word has been used in connection with several offices. The califs style themselves "Bahir al-Mumenin," prince of the Faithful. At the present time, in Turkey, the title is applied to the rulers of provinces. The master of the horse to the sultan is called Emir-Achor; the standard-bearer, Emir-Alem; and the surveyor of markets, Emir-Bazaar.

EMPEROR, *em'-pe-ror* (Lat., *imperator*), the supreme monarch of a nation; a title the dignity of which is considered to be superior to that of a king. Originating with the Romans, and signifying merely the individual who had the *imperium* or ruling power, it gradually began to mean the possessor of the sovereignty of the Roman world. From the Romans, the title passed to Charlemagne, and when the Carlovingian family died out in the German branch, the title became elective. Napoleon I. and III. were Emperors of France. At present, there are three emperors in Europe—the Emperor of Germany, the Emperor of Russia, and the Emperor of Austria. The Queen of the United Kingdom of Great Britain and Ireland is also Empress of India, a title assumed in 1876. In South America there is the Emperor of Brazil; from 1849 to 1859,

Faustina was styled Emperor of Hayti; and the Austrian arch duke, Maximilian, who reigned in Mexico from April, 1864, until June, 1867, adopted the title of Emperor.

EMPHYTENSIS, *em-phit-en-sis* (Gr., an implanting), in the Roman law, a perpetual right to a piece of land for which a yearly sum was paid to a superior or the original proprietor.

EMPIRE, *em-pire* (Lat., *imperium*), a term originally applied to that territory or extent of land governed by an emperor. The first empires were those of the Assyrians and Babylonians; the most powerful afterwards was that of the Romans, and it was divided into two great portions—the empire of the East, or the Lower Empire, and the empire of the West. The empire of the East was greatly sub-divided, according to the reigning dynasty. The empire of the West became the German, or Holy Roman empire, in the ninth century. At the present time the word empire is used to express any large extent of dominion. The dominions of the Queen of England are frequently called the British Empire.

ENCYCICAL, *en-si-ri-ka-l*.—In the early Church, the term was applied to letters sent by bishops to all the churches of a particular circuit. The name is now exclusively given to letters addressed by the Pope to all the bishops of the Roman Catholic Church.

ENDOWED SCHOOLS COMMISSION, appointed in 1869, by the 32 and 33 Vic. c. 59, threw open many endowments to the nation, and carried out reforms against considerable opposition. The most important public schools—Eton, Harrow, Winchester, Rugby, Westminster, Charterhouse, and Shrewsbury, were exempted from the operation of the Act. In 1874 its duties were transferred to the Charity Commission.

ENDOWMENT, *en-dow-ment* (from Fr., *endouoir*, to endow), in Law, is the bestowing or assuring of dower upon a woman. It is sometimes used metaphorically for the settling a provision upon a person, or building a church or chapel; and the severing a sufficient portion of the tithes, &c., for a vicar, towards his perpetual maintenance when the benefice is appropriated.

ENEMIES, ADHERING TO THE QUEEN'S. (See TREASON.)

ENEMY, *en-e-my*, in civil law, one who has publicly declared war against us. The declaration must be made by a duly organised state or kingdom, not by a turbulent body of men; and a hostile act committed by private citizens will not justify a war unless that act be sanctioned by the government.

ENFRANCHISEMENT, *en-fran-tshie-ment* (Fr., *franchise*, freedom or right), is the act of admitting a person to certain privileges or liberties; as where one receives the freedom of a town corporate. In Law, the enfranchisement of a copyhold in its conversion into a freehold by agreement with the lord of the manor. (See COPYHOLD.)

ENGINEERS, CORPS OF ROYAL, an important portion of the English army. It has for its duties the making and defending of all military works, and also the attack of similar works held by the enemy. The engineers form one regiment of 43 companies, and there are two

troops, A and B, at Aldershot, where is the dépôt of the corps. There is no half-pay except on permanent retirement, and no unemployed list; but the officers are considered entitled to a competent retiring allowance at an earlier age than other officers. They are spread all over the world, and are intrusted with the construction of all land and sea fortifications. In this work they are often assisted by civilians; but the engineer department of the country is responsible for the efficiency of the result. The non-commissioned officers and privates are all workmen who have learned some mechanical trade. The corps conducted the Ordnance Survey, and they are extensively engaged in telegraphic operations. The strength of the corps is about 5,600 men of all ranks. The corps of engineers was first formed in 1763, and in 1783 it was made a royal corps. In 1812 several corps of artificers, called sappers and miners, were placed under the engineers. Officers intended for the engineers enter the Royal Military Academy as cadets, and compete for their commissions at various periods. The uniform is scarlet, with blue facings.

ENGINEERS IN THE ROYAL NAVY are those men who attend to the machinery on board the war steamers. There are inspectors of machinery, chief engineers, and assistant engineers, the latter class being sub-divided into three parts. These are all commissioned officers, and are strictly examined before being admitted. They number about 1,000 of all grades.

ENGRAVINGS, COPYRIGHT IN. (See COPYRIGHT.)

ENGROSSING, in Law. (See FORESTALLING.)

ENLISTMENT, *en-list-ment* (Ang.-Nor.), in Military, the name given to the act by which any one agrees to perform certain duties that are required of him as a soldier, during a certain period of time, for a fixed amount of remuneration in the form of daily pay and bounty money, which he receives when he joins the service. Enlistment is a voluntary act, and differs entirely from the compulsory system of drafting men for military service adopted generally in France and throughout Europe, and termed conscription. The only case in which military service is made compulsory in this country is that of balloting for the militia when any regiment is deficient in numbers; but this is never resorted to except in times of extreme urgency, and even then exemption can always be purchased by providing a substitute. (See ARMY.) No persons enlisting are to be sworn in before a magistrate in less than twenty-four hours after, and they are then at liberty to withdraw upon returning the enlistment or bounty money, and 21s. costs. Apprentices may not enlist without the consent of their masters, who may claim them from the military authorities within a month from the period of enlistment. Apprentices enlisting and concealing the claim that their masters have on their services, are considered as having obtained money under false pretences, and may be prosecuted and punished accordingly. They are also liable to serve as soon as they are out of their apprenticeship, and may be apprehended as deserters if they do not surrender themselves to a recruiting officer.

ENOCH, BOOK OF, *e-nok*, is one of the apocryphal books of the Old Testament, and be-

lieved by some to be cited by St. Jude when he says, "Enoch, the seventh from Adam, prophesied, saying," &c. It is generally supposed, however, to have been written after the establishment of Christianity, from the frequent allusions that are made in it to passages of the New Testament; and it is probable that the author took occasion, from the words of St. Jude, to perpetrate the forgery. As for St. Jude himself, it is probable that he cites, not from any book of Enoch then subsisting, but from general tradition. The book was common in the early church, but was not generally received as canonical, and appears to have been lost about the 8th century. Bruce, however, when in Abyssinia, was fortunate enough to obtain three complete MS. copies of this work. An English translation was published in 1826, by Archbishop Lawrence, and the Ethiopic version in 1838. Several German editions have appeared. The book is chiefly taken up with a relation of the prophetic visions of Enoch regarding the fall, heaven, hell, nature, astronomy, the future of the Jewish people, &c. No apocryphal book is more remarkable for eloquence and poetic vigour.

ENROLMENT, *en-rol-ment*, an entry upon a register or record, officially certifying that a certain transaction has taken place. All transfers of land effected under the provision of the Fines, and Recoveries Act (3 and 4 Will. IV. c. 74) must be enrolled in the Court of Chancery, within six months after the execution. A decree in the Court of Chancery does not receive full effect until it has been enrolled.

ENSIGN, *en-sine* (Fr., *enseigne*; Lat., *signum*, a standard), the name given (previous to 1871) to commissioned officers of the lowest rank in the line, ranking immediately after the lieutenant. It was the duty of the senior and junior ensign in every regiment of infantry to carry the colours—the former carrying the queen's colour, or union-jack, and the latter the regimental colour, which is generally of the same tint as the livery of the regiment, and has a small union-jack in the corner and the number of the regiment in the centre, with the names of the battles in which it has been engaged emblazoned round it on embroidered scrolls. The officers who carry the colours are now styled sub-lieutenants. It is a point of honour for a regiment to preserve its colours, and the officers who carry them are closely attended by a guard of sergeants, who wear a flag embroidered on the arm above their stripes, and are called colour-sergeants.

Ensign.—The special name of one of the flags used in the British Navy. It is a large flag, with a ground-work bearing the double cross of St. George and St. Andrew, or the "Union-Jack." Ships of the Royal Navy carry an ensign with a white ground; merchant vessels carry the blue ensign; and yachts (if belonging to members of clubs recognised by the Admiralty) coloured; armed vessels, ships connected with government departments, and merchant vessels commanded by officers of the Naval Reserve, are allowed to carry a blue ensign.

ENTAIL, *en-tail*, is a term commonly applied to the form of an estate, technically in England and Ireland called a fee tail, and in Scotland a tailzie. It is said to be derived from the French *tailler*, "to cut," either because the heirs general are by this means cut off, or because this estate is a part cut out of the whole. An estate in fee tail is a limited fee, as opposed to a fee simple; it is that which a man hath to

hold to him and the heirs of his body, or to him and particular heirs of his body, according to the will of the donor. Previous to the passing of the statute *de Donis*, 1285, lands, if given to a man and the heirs of his body, were regarded as conditional estates in fee simple; but the nobility, being anxious to perpetuate their possessions in their own families, procured the passing of that statute. It enacted, that from thenceforth the will of the donor is to be observed, according to the form in the deed of gift, and that the tenements so given (to a man and the heirs of his body, or the heirs male of his body, or the like) should, notwithstanding any alienation by the donee, go to his issue, if there were any, or if issue failed, should revert to the donor or his heirs. Estates tail are either general or special—the former, where they are given to one, and the heirs of his body begotten; the latter, where the gift is to the heirs of the donor's body by a particular person; as by his own wife. In the former case, his issue in general by all and every marriage, is, in successive order, capable of inheriting the estate tail; in the latter, no issue can inherit but that of the two designed. Each of these may be again either in tail male, or tail female. The nobility were always fond of this enactment, because it preserved their family estates from forfeiture. At length, however, in the twelfth year of the reign of Edward IV., it was decided, in the celebrated *Tulkarm*'s case, that by means of certain fictitious proceedings, known by the name of a common recovery, suffered by the tenant in tail, he should convert his estate into a fee simple absolute, and bar all persons whatever claiming the estate tail, or any estate anterior thereto; and by long use and acquiescence these recoveries became the legal mode of conveyance by which a tenant in tail might dispose of his lands and tenements. Afterwards, in the reign of Henry VIII., estates tail were declared to be forfeited on any conviction for high treason; and soon after, in the same reign, certain leases made by tenants in tail, which do not tend to the prejudice of the issue, were allowed to be good in law, and to bind the issue in tail. The peculiar privileges of tail estates were still further curtailed by subsequent statutes, but most of all by 3 and 4 Will. IV. c. 74 (the Fines and Recoveries Act), enabling a tenant in tail, by an ordinary deed of conveyance, duly enrolled, without any indirect or fictitious proceeding, to alienate in fee simple absolute, or for any less estate, the lands entailed. Subsequently, by 1 and 2 Vic. c. 110, entailed estates were rendered liable for ordinary debts; and further, by 19 and 20 Vic. c. 120, a tenant in tail may demise the same from time to time for any term not exceeding twenty-one years. Estates tail have thus been gradually unfettered, and are now subject to even less restraint than is attached to conditional fees at common law, after the condition was performed by the birth of issue. In Scotland, the history of the entail system differs from that of England, in so far as it was there built and strengthened by the ingenuity of the lawyers, who, as fast as assailable points were discovered in the form of the deed, fortified it with new clauses. Thus, what are known as the "prohibitory," "irritant," and "resolutive" clauses, were introduced; and by a statute of the Scottish Parliament, in 1685, entails in that country were reduced to a systematic form. The injurious effects of this enactment were widely felt in Scotland during

the 18th and nearly the half of the 19th centuries; but by 11 and 12 Vic. c. 39, which came into force on the 1st of August, 1843, persons then in existence, and holding under entails of prior date, may disentail them, after certain intimations, and with the consent of certain heirs next in succession. In old entails, where the heir in possession has been born since that date, and in all new entails made after that time, the heir of entail in possession may, by means of a simple deed of disentail, free his estate from the restrictions of the entail.

ENTRY, *en-tre* (Fr., *entrée*, from Lat., *intro*, I enter), the taking possession of lands and tenements by one who has title of entry. Entry was formerly a mode of keeping up the claim of the rightful owner of lands or tenements when another person had taken wrongful possession of them. He entered upon some part of the property claimed, declaring that he thereby takes possession of the whole; but if it lay in different counties, it was necessary to make a separate entry in each. This claim, if it was repeated once in the space of every year and a day (which was called continual claim), had the same effect with, and in all respects amounted to, a legal entry. The 3 and 4 Will. IV. c. 27, which declares that no person shall be deemed to have been in possession of any land within the meaning of that act merely by reason of having made an entry thereon, and no continual or other claim upon or near any land shall preserve any right of making an entry. The right of entry is now lost by not asserting it for twenty years.

ENVOY, *en-voi* (Fr., *envoyé*), a diplomatic agent of the second rank, being inferior to an ambassador. In common with ambassadors, envoys are accredited direct from one sovereign to another; but they differ from the latter in not representing the personal dignity of their sovereign, but only his affairs. They are either ordinary or extraordinary. (See **EMBASSY**, **AMBASSADOR**, **DIPLOMACY**.)

EPHAH, *ef-fa*, a Hebrew measure of capacity, holding rather more than three English pecks.

EPHESIANS, EPISTLE OF PAUL TO THE, *ef-d-zhans*, is the fifth in numerical order of the fourteen epistles of St. Paul contained in the canon of the New Testament. The principal fathers of the early Church are unanimous in favour of the genuineness and canonicity of this book. Much controversy, however, has subsequently been carried on as to whether it was addressed to the Ephesians, from the omission of the words "to the Ephesians," in a few of the ancient MSS., and the assertion of Marcion, a heretic of the second century, but whose testimony is of no weight, that it was addressed to the Laodiceans. Others, again, regard it as a cyclical epistle addressed to no particular church, but to all, though Ephesus may have been the chief. It is generally believed to have been written about the year 61 A.D., during the early part of the apostle's first imprisonment at Rome. He was apprehensive lest advantage should be taken of his confinement to unsettle the minds of Ephesian converts, who were almost wholly gentiles. Hearing, however, that they stood firm in the faith of Christ, he wrote this epistle in order to establish them in that faith. The style is exceedingly animated, and corresponds

with the state of the apostle's mind at the time of writing.

EPHOD, *ef'-od* (Heb., a covering), among the ancient Jews, was one of the essential articles of the priest's official dress. It was an upper garment consisting of two pieces, one covering the back and the other the breast, and being united upon the two shoulders, and was worn over the purple tunic. It was made of plain linen, except that of the high priest, which was embroidered with various colours. Properly, according to the law of Moses, the ephod was to be worn only by the high priest; but it subsequently came to be in common use among the priesthood, and even David, when bringing the ark back to Jerusalem, appeared in one. A description of the ephod of the high priest is given in Exodus xxviii. 6, et seq.

EPHORI, *ef'-o-ri* (Gr., *ephoroi*, overseers), magistrates who were common to many Dorian constitutions in ancient times. The duties of the ephori consisted in the management of the internal administrations of the state, especially matters of justice; and a particular building, called the *Ephorion*, was allotted to them. The number of the ephori was five; they were elected from and by the people, and held their offices for one year. Those who had votes in the election were not restricted by age or property, and the election was not put under any scrutiny; so that, as Aristotle observes, in the institution of the ephori, the people participated in the highest magistracy of the state. In later times, the powers of the ephori were greatly increased, until the kings were completely under their authority, and it could not be said when they could and when they could not interfere. At last, in 225 B.C., the ephori for the time being were murdered by Agis and Cleomenes, and the office abolished. The ephori were, however, again restored to power under the Romans.

EPICURÆANISM, *ep-e-ku-ræ'-an-i-zm*, is a term applied to the system of philosophy adopted and promulgated by Epicurus, who lived from B.C. 337 to B.C. 270. In its physical system Epicureanism considered the universe, consisting of matter and space, to be infinite and eternal, while the various bodies of which it is composed are subject to decay and change. "Nothing can spring from nothing, nor can anything return to nothing," was one of the favourite maxims of the school. The world, as we now see it, was produced by the collision and whirling together of atoms. Perception, and the senses of hearing and smelling were produced by emanations thrown off the surface of bodies. The soul was composed of subtle particles disseminated through the whole frame. The science of physics was, however, in the opinion of Epicurus, subordinate to that of ethics. According to his authority, the great end of man is his own happiness, which is to be obtained by the subjugation of his passions and the moderation of his desires. Death, argued Epicurus, should have no terror, "since when we are death is not, and when death is we are not." His followers entering farther into the spirit and natural tendency of his system, resolved all happiness into the gratification of the senses. The system was consequently adopted readily by the idle, the luxurious, and the vicious.

EPIPHANY, *e-pif'-a-ne* (Gr., *epiphaneia*, a manifestation).—Among the ancient Greeks, a festival held in commemoration of the appearance

trivial grounds (as mis-spellings and other clerical errors), and interfered greatly with the administration of justice; but it is now provided that no judgment shall be reversed on account of any imperfection, omission, or defect of form, and even in case of material mistake, it is declared lawful for the superior courts, or any judge thereof sitting at *nisi prius*, at all times to make such amendments as may be necessary for the purpose of determining in the existing suit the real question in controversy.

ESCAPE, *es-kap'* (Fr. *échapper*, to fly from), in Law, is a violent or privy evasion out of some lawful restraint; as where a man is arrested or imprisoned, and gets away before he is delivered by due course of law. Officers who, after arrest, negligently permit a felon to escape, are punishable by fine; but it is regarded as a much more serious offence if the escape is effected by the consent and connivance of the officer, and is generally looked upon in law as punishable in the same degree as the offence of which the prisoner is guilty, and for which he is in custody, whether treason, felony, or trespass. To break prison and escape when lawfully committed for any treason or felony is punishable with penal servitude for not more than seven or less than three years, or imprisonment not exceeding two years. To escape from confinement under sentence or order of penal servitude is punishable by penal servitude for life. To break prison when lawfully confined on some inferior charge is a high misdemeanor, and punishable by fine and imprisonment.

ESCHATOLOGY, *es-kat-ol-o-jee* (Greek, *eschatos*, last, and *logos*, discourse).—A theological term for the facts revealed in Scripture about a future state and the result of Christian speculation on the subject, and on the destiny of the Church.

ESCHEAT, *es-eshent'* (Nor.-Fr., *eschet* or *echet*, chance or accident), in Law, is defined to be "an obstruction of the course of descent, and a consequent determination of the tenure, by some unforeseen contingency, in which case the land naturally results back, by a kind of reversion, to the original grantor or lord of the fee." Where the tenant of lands in fee dies without having aliened them in his lifetime, or disposed of them by will, and leaves no heir behind him to take them by descent, they escheat to the grantor or lord of the fee. In order to complete this title by escheat, it is necessary that the lord perform an act of his own by entering on the lands and tenements so escheated; on failure of which, or by doing any act that amounts to an implied waiver of his right, as by accepting rent of a stranger who usurps the possession, his title by escheat is barred. Escheats are commonly divided into two classes—*propter defectum sanguinis*—from deficiency of blood; and *propter delictum tenentis*—through delinquency of the holder, where, by attainer, the blood of the person attainted is so corrupted as to be rendered no longer inheritable. The attempts of recent legislation (53 Geo. III. c. 145; 3 and 4 Will. IV. c. 106, and 13 and 14 Vic. c. 60) have been to modify this law, and now no attainder for felony, except treason or murder, extends to the disinheriting of any heir, or to the prejudice of the right or title of any person other than the right or title of the offender during his natural life.

ESDRAS, *ez'-dras*, is the name given to two

apocryphal books of the Old Testament. In the list of apocryphal books in the sixth article of the Church of England they are called the third and fourth books of Esdras, Ezra and Nehemiah being sometimes called the first and second books of Esdras or Ezra. In some editions of the Septuagint, what we call the first book of Esdras comes first and is followed by the canonical book of Ezra, which is termed the second book of Esdras. The books of Esdras never formed any part of the Jewish canon; they were rejected from the canon by the Council of Trent, and are not read in the service of the Church of England. They are commonly supposed to have been originally written in Greek by some Hellenistic Jews, though some imagine that they were first written in Chaldee, and afterwards translated into Greek. It is uncertain when the first book was composed, though it is generally agreed that the author wrote before the time of Josephus, who quotes it as a high authority. The second book, or "Revelation of Esdras," is of an entirely different character; and many critics think it was originally written by a Jew, but received many additions from a Christian writer. It consists of a series of visions and revelations made to Ezra.

"**ESSAYS AND REVIEWS**," a collection of essays, chiefly by clergymen of the Church of England, published in 1850. It occasioned some excitement on account of the freedom with which religious questions were treated. In 1851 it was condemned by Convocation. The authors of the Essays were Dr. Temple (since appointed Bishop of Exeter), Dr. Rowland Williams, Professor Baden Powell, Rev. H. B. Wilson, Rev. Mark Pattison, Professor Jowett, and Mr. C. W. Godwin. Mr. Williams and Mr. Wilson were sentenced by the ecclesiastical courts to suspension for one year on the charge of heretical teaching, but the sentence was reversed by the judicial committee of the Privy Council. An active literary controversy was excited, in which the present Archbishop of York, Dr. Thomson, and the late Bishop of Oxford, Dr. Wilberforce, took part as opponents of the Essayists the former editing "Aids to Faith," and the latter "Replies to Essays and Reviews."

ESSENES, *es'-seens* (Gr., *essenoi*), a sect which existed among the Jews during the lifetime of Christ. They are not mentioned in the New Testament, but they are described by Josephus and Philo. The authenticity of the account ascribed to the latter is, however, doubtful. The Essenes were those who carried out the views of the Pharisees to an extent which made them ridiculous in the eyes of the party from which they sprung. Levitical purity hemmed them in with so many restrictions that it soon became necessary for them to live in retired and lonely places. The sect had not a large number of followers. They took no part in public affairs, and spent their lives in contemplation. They adopted celibacy, and had no individual property. In matters of belief they held the Scriptures in the highest reverence, interpreting it, however, by an allegorical system of their own: they believed also in the immortality of the soul. The name Essenes was a very late designation. The members of the sect are spoken of by the old Jewish writers as Chasidim (pious men), Nazirim (abstinents), and by various other names.

ESSOIGN, *es-soin'* (old Fr., *essonier*, to excuse), in Law, denotes an excuse for him that

is summoned to appear and answer to an action, or to perform suit to a court baron, &c., by reason of sickness, infirmity, or other just cause of absence. A party might escoin himself three times by sending a substitute to explain the reason of his non-appearance. Escoigns are now almost unknown in practice.

ESTABLISHED CHURCH, *es-tab-lishd* (Fr., *établir*, to fix firmly), is a church established and maintained by a state for teaching religion in a particular form. (See CHURCH OF ENGLAND and DISSENTERS.)

ESTATE, *es-tat* (Fr., *état*; Lat., *status*), is that title or interest which a man has in lands, tenements, or hereditaments, and is the condition or circumstance in which an owner stands with regard to his property. The leading distinction to which estates are subject, is that of legal and equitable, the first being properly cognizable in the courts of common law, though noticed also in those of equity, and the second being properly cognizable only in the latter courts. A legal estate is usually considered in a threefold point of view: (1) With regard to the quantity of interest which the tenant has in the tenement; (2) with regard to the time at which that quantity of interest is to be enjoyed; and (3) with regard to the number and connection of the tenants. As to quantity of interest, estates are either freehold or less than freehold. Freehold estates, again, are divided into freeholds of inheritance and freeholds not of inheritance. Of estates less than freehold there are three kinds: (1) Estates for years; (2) estates at will; and (3) estates by sufferance. Besides these several divisions of estates in point of interest, there are what are called estates upon condition—those whose existence depends upon the happening or not happening of some uncertain event. They are of two kinds—estates upon conditions implied, and estates upon conditions expressed. As regards the time of their enjoyment, estates are either in possession or in expectancy. Of expectancies, there are at common law two sorts—one called a reversion, the other a remainder. With reference to the number of persons entitled to the enjoyment, estates may be in sovereignty, joint tenancy, coparcenary, common, entailed.

ESTATES OF THE REALM.—The three estates of the realm are the three branches of the Legislature—the Lords spiritual, the Lords temporal, and the Commons.

ESTHER, BOOK OF, *es-ther*, is one of the historical books of the Old Testament, placed after that of Nehemiah. It contains the history of a Jewish maiden named Hadassah ("myrtle"), who became the wife of the Persian king Ahasuerus, her name being changed to Esther (the name of the planet Venus) on account of her great beauty. As to the authorship of the book, nothing is with certainty known, nor are there any data on which to form a reasonable conjecture. By some it has been ascribed to Mordecai, by others to Ezra, or the high priest Joachim; but, in any case, it appears to have been written soon after the events which it narrates had taken place; and it has this peculiarity, that the name of God does not once occur in the whole book, and that it does not exhibit the slightest evidence of religious feeling. The difficulties regarding the authenticity of this book have been much exaggerated. It has always been received as canonical by the Jews, and regarded as one of the most precious

portions of their sacred scriptures. Some difference of opinion exists as to what Persian monarch is referred to under the name of Ahasuerus; but the probability seems to be in favour of Xerxes. The entire narrative corresponds with what we know of the manners and customs of the Persian court, and of oriental cruelty; while the origin of the feast of Purim shows very clearly that the occasion thereof must have occurred in Jewish history. In the Septuagint there are a number of additions and details in this book, which Jerome in the Vulgate placed at the end of the book, and Luther (who censured it for its "heathenish extravagance") in the Apocrypha. That these additions are spurious there can be little doubt.

ESTOPPEL, *es-top'-pel* (Fr., *estouper*), an impediment or bar of action arising from a man's own act. Estoppels are of three kinds:—1, by matter of record, as where a judgment has been given in a court of record, the parties to the suit are estopped from afterwards alleging matters which would be contradictory to the record; 2, by deed or matter of writing, no person being allowed to dispute his own solemn deed, which is therefore conclusive against him and those claiming under him, even as to the facts recited in it; and 3, by matter *in pais* (in the country), that is, by transactions between the parties not evidenced by record or writing, as livery, entry, &c. The principle of estoppel is, that what a man has once solemnly alleged, he should not be afterwards suffered to contradict.

ENTOVERS, *es-to'-vers* (Fr., *estover*, to furnish), the liberty which the owner of an estate for life or a tenant for years has of taking a necessary supply of wood from the estate for the use or furniture of his house or farm. The Saxon word *bote* is used in the same sense; and therefore house-bote is a sufficient allowance of wood to repair or to burn in the house; plough and cart-bote are for making and repairing instruments of husbandry; and hay or hedge-bote is for reaping hays and hedges. These botes must be reasonable, and if a tenant takes more than is needful for these purposes, he may be punished for waste.

ESTRAYS, *es-trayz* (Nor., *estramer*), such valuable tame animals as are found wandering in any manor or lordship, the owner of them being unknown. The law gives them to the king, as general owner of the soil; but they are most commonly given by special grant from the Crown to the lord of the manor. In order to become absolute property, they must be proclaimed in the parish church and two market-towns next adjoining to the place where they were found; and if not claimed within a year and a day, they belong to the king or his substitute.

ESTREAT, *es-treat* (Lat., *extractum*), is a true copy or note of some original writing or record, and especially of fines or amercements, entered on the rolls of a court to be levied by a bailiff or other officer. When recognizances are taken, as for appearance to prosecute or give evidence in cases of felony or misdemeanour, and if the condition of such recognizances be broken, the recognizance becomes forfeited; and being estreated, or extracted, and sent up to the Exchequer, the party and his sureties, having now become the king's absolute debtors, are sued for the several sums in which they are respectively bound.

ETERNITY, *e-ter'-ne-te* (Lat., *eternitas*), an attribute of the Deity, the existence of whom,

according to the true principles of religion, is without beginning or end. It is a negative idea clothed with a positive name. To whatever it is applied, it supposes a present existence, and it is the negation or denial of any beginning or end to that self-same state of existence. As applied to the Deity, it has not been controverted by those who acknowledge a Deity at all. There is a distinction made between an *anterior* and a *posterior* eternity: the latter belongs to beings whom God proposes to preserve for ever, the former to himself alone.

ETHICS. *eth'-iks* (Gr., *ethica*, from *ethos*); signifies, strictly, both in ancient and in modern speech, the doctrine of morals. This branch of knowledge has been divided by modern writers into two parts, the one comprehending the *theory* of moral science, and the other its *practical* doctrines. On the former side the first part investigates that principle of our constitution by which we are led to form the notion of moral distinctions; and on the latter side it inquires into the proper object of moral approbation.

ETHNOGRAPHY. *eth-nol'-a-ra-fee* (Gr., *ethnos*, a nation, and *graphie*, description), is that science which treats of the manners, customs, religion, forms of government, and other peculiarities of different nations, and which is commonly regarded and treated as a branch of general geography. (See **POLITICAL GEOGRAPHY**).

EUCCHARIST. *eu'-kha-risht* (Gr., *eucharistia*, the giving of thanks), is used, in a theological sense, to denote the sacrament of the Lord's Supper, or Holy Communion, as it is named in the Church of England. The term is not found in the New Testament; but in the history of the institution of this ordinance, the word *eucharistia* occurs; and this probably led Justin Martyr and others to adopt the word, *gratitude* for divine mercy and grace being a chief requisite in those who would worthily partake. (See **LORD'S SUPPER** and **SACRAMENT**).

EUTYCHIANS. *eu-tik'-e-anz*, a religious sect which arose about the middle of the 5th century, and were named after their founder, Eutyches a Byzantine ecclesiastic. In opposing the doctrines of Nestorius, who had been charged with dividing the nature of Christ into two distinct persons, they fell into the opposite extreme, and held that the human nature of Christ was absorbed in the divine, and that His body had no real existence. Their views were condemned in a synod held at Constantinople in 448, by Flavian, patriarch of that city, and Eutyches himself deposed; but the following year this judgment was reversed by a general council held at Ephesus, and the doctrine of Eutyches declared to be orthodox. Eutychianism, however, was finally condemned in 451, at the general council of Chalcedon, which declared "that in Christ two distinct natures were united in one person, and that without any change, mixture, or confusion." The sect, however, under the name Monophysites, spread very extensively through the East, and the doctrine continues to exist in the Armenian and Coptic churches to the present day.

EVANGELICAL. *ev-an-jel'-e-kal* (from Gr., *euangelion*, good news), denotes, in general, agreeable to, or in conformity with, the doctrines of the Gospel. It is frequently applied to those who make the atonement of Christ alone, and not the performance of moral duties, the ground

of salvation. A body in the Anglican church assumed to themselves the name of Evangelical, and most of the Protestant Dissenters claim to be Evangelical. In Prussia the term is employed to designate the national Protestant church, which is formed by a union of both Calvinists and Lutherans, being an attempt to unite the two parties.

Evangelical Alliance is an association of Christians of various denominations, formally organized in London in 1846. Its object is to promote unity and co-operation among the different sects of Protestants, and to unite their efforts against the advances of Romanism and infidelity. They have numerous branches, not only in the United kingdom, but France, Germany, Sweden, and other parts of the Continent; America, Australia, East and West Indies, Africa, &c. They hold conferences for devotion and mutual consultation in many of the principal cities of Europe.

Evangelical Association, a religious body which took its rise in the state of Pennsylvania in 1800, and has since spread over most of the free states and a great part of Canada. Its founder was Jacob Albrecht, a German Lutheran, who, impressed with the want of religious life and the corruptions that prevailed among the German Churches, commenced a course of itinerant preaching, and made many followers. They devote themselves much to missionary labour, especially among the German population.

Evangelical Union, the name assumed by a religious body which was formed in Scotland in 1813, but which are better known under the name of Morrisians. Their founder, the Rev. James Morrison, of Kilmaronock, was ejected from the United Secession Church for holding views contrary to the standards of that body. He held that the death of Christ bore no special relation to the elect, but was for the sins of the whole world; that all men were able of themselves to believe the Gospel; that original sin cannot render men liable to condemnation; that no person ought to be directed to pray for grace to help him to believe.

EVANGELIST. *ev-an'-je-list* (Gr., *eu*, well, and *aggello*, I announce), is properly one who brings good tidings. Hence the writers of the four gospels are called evangelists, because they proclaim the glad tidings of salvation through Christ. Evangelist was also the name given to a particular class of Christian teachers chosen by the apostles to preach the Gospel, and ranking after the apostles and prophets, but before the pastors and teachers. They had no particular flocks assigned to them, but travelled from place to place under the direction of the apostles. This order is supposed to have been merely temporary, like that of apostles and prophets; and the term is now only applied to those writers in the new Testament who have given us the history of our Lord.

EVE, *ev*, the name given in the book of Genesis to the first woman. The Hebrew word is *Chavvah*, the feminine form of the word meaning "living." We read that Adam gave the name to his partner "because she was the mother of all living."

EVE, *eev* (Ang.-Sax.), is a term frequently applied to the night before certain holidays or festivals; as Christmas eve, the eve before Christmas day. In the primitive church, it was customary for Christians to pass a great portion of the night which preceded a holiday in religious exercises; and these, from their being performed in the night-time, were called vigils, or watchings. Those night meetings came to be so much abused that they were at length abolished.

EVICITION, *ev-ik'-shun* (from Lat., *evicere*, I overcome), signifies a recovery of lands by means of a form of law. It is, however, one of

the most severe processes; but has been adopted to a lamentable extent in Ireland, especially in the course of the political and agrarian agitation of 1881 and 1882. In the Scotch law the term is applied to the dispossessing any person of property, whether in land or movables, in virtue of a preferable title in the person of him by whom the eviction is made.

EVIDENCE, *ev-e-dens* (Ang.-Nor., from Lat., *evidentia*), denotes, in its widest sense, whatever, exclusive of mere argument, legally tends to prove or disprove any matter of fact, the truth of which is submitted to judicial investigation. It is so called because it makes evident or clear, or ascertains the truth of the fact or point at issue, either on the one side or on the other. When such evidence is sufficient to produce a conviction of the truth of the fact to be established, it amounts to *proof*. Evidence may be either by word of mouth or written, the former being the statements of witnesses in open court, and attested by oath or solemn declaration; the latter consisting of records, deeds, or other writings. By *competent evidence* is meant that which the law requires as the fit and appropriate proof in the particular case; such as the production of a writing where its contents are the subject of inquiry. By *satisfactory evidence*, or, as it is sometimes called, *sufficient evidence*, is denoted that amount of proof which ordinarily satisfies an unprejudiced mind beyond reasonable doubt. *Circumstantial evidence* is distinguished from positive proof, and is founded on the doctrine of presumptions; for when the fact itself cannot be demonstratively evinced, that which comes nearest to the proof of the fact is the proof of such circumstances as necessarily or usually attend such facts. Very strong presumption is, in many cases, equal to full proof. As a general rule, the best evidence of a fact must be given that its nature admits of. This rule does not demand the greatest amount of evidence which can possibly be given of any fact, but is to prevent fraud; the presumption being, when the best evidence is withheld, that the party has some sinister motive for not producing it. *Primary evidence* is that kind of proof which in the eye of the law affords the greatest certainty of the fact in question. All evidence falling short of this in its degree is termed *secondary*. This distinction refers only to the quality, not to the strength of the proof; for evidence which carries on its face an indication that better remains behind, is not primary but secondary. As a rule, secondary evidence is inadmissible until it be shown that the production of primary evidence is out of the party's power; as where an instrument is destroyed or lost, its contents may be proved by secondary evidence. The first degree of evidence, and, though liable to error and misconception, the most satisfactory to the mind, is that afforded by the senses; as where a judge or jury can have the matter in dispute before their eyes, so that they may judge for themselves. This mode of evidence, however, is seldom attainable in judicial trials, and the law is satisfied with requiring the next best evidence—namely, the testimony of those who can speak from their own personal knowledge. But it is requisite that, whatever facts the witness may speak to, he should be confined to those lying within his own knowledge, whether they be things said or done, and should not testify from information given by others, however worthy

of credit they may be. The *dying declaration* of a person who expects to die, respecting the circumstances under which he received a mortal injury, is admitted as evidence in criminal prosecutions in regard to the death, though the accused was not present when they were made, and had no opportunity for cross-examination; it being considered that a person in constant expectation of immediate death is removed from all temptation to falsehoods; but it is necessary to show that he was aware of his condition at the time of making his declaration. A person is said to be admitted as *queen's evidence* when, being one of the accused, he confesses his crime, and is admitted as evidence against his accomplices. It is at the discretion of the court whether they admit one as queen's evidence; but if he is admitted, and his partners are convicted, he is entitled to his pardon. (See WITNESS.)

EVIL, *é-vil* (Sax., *efel*, *yfel*), may be said to be the antithesis or the negation of *good*. "In the abstract, evil is want of conformity to the standard of good, whatever that may be; in the concrete, evil is anything that comes short of what is perfectly good." A very superficial view of things as they exist in this world is sufficient to convince one of the existence of evil—i.e., that all things come short of our ideal of goodness and perfection. Evil is usually divided into *physical* and *moral*—the former including whatever is opposed to good in the sense of happiness; the latter, whatever is opposed to good in the sense of virtue. The question concerning the origin of evil has exercised the ingenuity of speculative men from the earliest times, and various theories have been proposed. The oldest and most widely spread of these is the *dualistic*, which supposes two opposite agencies or co-eternal and independent principles, the one the author of all the good, the other of all the evil in the universe. This doctrine prevails in the heathen systems of the East, and was also held by the Manichæans and others. A favourite hypothesis among the ancient philosophers was that of pre-existence; according to which, the evils which we suffer at present are punishments and expiations of moral delinquencies committed in a former stage of our being. The doctrine of *optimism* supposes that all events are ordered for the best, and that the evils which we suffer are parts of a great system conducted by almighty power under the direction of infinite wisdom and goodness. This comprises two very different classes of philosophers—those who admit and those who deny the freedom of human actions and the accountableness of man as a moral agent. We must be satisfied with the only tangible result attainable by human reason and revealed religion—that evil does exist—that is, that in human nature there is a powerful tendency to do wrong; but that we may, if we will, overcome evil with good.

EXARCH, *ex'ark*.—A title conferred by Justinian, Emperor of the East in the 6th century on his vice-general and commander-in-chief in Italy. Narces was the first who bore the title, and the district over which he ruled was styled the Exarchate. In the early days of the Christian Church, the title was given to a bishop, who presided over other bishops, the bishops of Alexandria, Antioch, Ephesus, Caesarea and Constantinople being exarches. In some cases the title was applied to superiors over several monasteries. In the modern Greek Church, a legate, or deputy, if a patriarch, when visiting

the clergy and churches of a province, is styled an exarch.

EXCAMBION, *ek-kam-bi-on*, in Scotch law, a term applied to the exchange of certain portions of entailed lands.

EXCELLENCE, *ek-sel-len-se* (Lat., *excellencia*), a title first borne by the Lombard Kings, and afterwards assumed by several emperors of the West. It was afterwards transferred to the inferior princes, especially in Italy, until they had bestowed the title of "eminence" on the cardinals. Since that period the title of excellence has become a title of office or service, neither hereditary nor transferable from one member of a family to another, but always belonging to the office. In Europe it is only borne by ministers in actual service, by the highest court and military dignities, and by ambassadors and plenipotentiaries. Governors of English colonies also receive the title of excellence.

EXCHANGES, IN THE ARMY.—Subject to the approval of the Secretary of State for War, an officer may exchange with one of equal rank in another regiment, on payment of a sum agreed upon between the two officers.

EXCHEQUER, COURT OF, *eks-tshe-ker* (Fr., *échiquier*), the name of an ancient court of record, wherein all causes touching the revenue and rights of the crown are heard and determined, and where the revenues of the crown are received. According to Camden, the court took its name from the chequered cloth, resembling a chess-board, which covered the table there, and on which, when certain of the king's accounts were made up, the sums were marked and scored with counters. This court was established by William the Conqueror as part of the Aula Regia, and reduced to its present order by Edward I. It was principally intended at first to order the revenues of the crown and to recover the king's debts and duties, and is known as the Saccharum, from the Latin *sacrus*, or *sacrum*, a chess-board; it subsequently acquired the additional character of an ordinary court of justice between subject and subject. The Judges bore the title of Barons of the Exchequer, except the Chancellor of the Exchequer, who had the position of judge on the equity side of the Court, but only on very rare occasions exercised any judicial functions. On the passing of the Judicature Act in 1873, the Court became the Exchequer division of the High Court of Justice; but it is now amalgamated with the Queen's Bench division.

Court of Exchequer Chamber, was formerly a court of all the judges assembled to decide difficult matters of law. It was also a court of error for the hearing of appeals from the three courts of law. In the reign of Edward I., it was established as a court in which the Judges of Queen's Bench and Common Pleas revised the decisions of the common law side of the Court of Exchequer. The court was abolished by the Judicature Act.

EXCHEQUER, CHANCELLOR OF THE.—One of the principal ministers of the crown, always having a seat in the cabinet. He has the special charge of the finances of the country and the receipt and payment of revenue. He is, in fact, the principal finance minister of the crown, and exercises the chief and most responsible control over the expenditure of the different branches of the public service, the details of which are annually submitted for his re-

vision. He prepares the annual statement of the estimated expenses of the country, and the ways and means by which they are to be defrayed, including the imposition or remission of taxes. (See BUDGET.) This office has sometimes been held conjointly with that of first lord of the Treasury. Mr. Pitt, Sir Robert Peel, and Mr. Gladstone united the offices. The salary is £5,000, except when the office is held by another, and then it is £2,500.

EXCHEQUER BILLS are issued under authority of parliament, and form the principal part of the bills of credit in this country. They are for sight, and from £100 to £1,000, and bear interest of 4 per cent. on the debt of 10d. to 24d. per day per cent., varying from the usual rate of interest at the time generally from first issued in the reign of William III., 1690, and have been continued annually. They were issued by formal transfer, and the only ever since, periodically to holders of being paid money without par.

EXCISE, *eks-ize* (Lat., *excisus*, cut off.) properly signifies that part of the produce of a manufacturer or producer which is cut off in support of the government of the profits of the commodity is sold. It is generally *cut off* for the taxes or duties which are levied before the commodities produced and consumed applied to those excisable articles when exported levied upon certain being usually entitled to returned at home. There are, however, certain duties included in the excise branch of the revenue, certain drawback. Above definition does not include duties included in the mode of taxation had been generally apply; as at an early period, but was not strictly apply. This country by the Parliament established in Holland to carry on the war against France, first introduced into royalists soon after also France but in 1843, in order of raising money, both sought the Crown. The excise should be continued of recourse to this mode end of the war. It was those declaring that the makers and vendors of beer no longer than to the but the Parliament soon a first imposed upon the wine, tobacco, sugar, and a duty also, cider, and perry; commodities, in pursuance of latter laid it on flesh, Pyrm, who is considered to be a number of other commodities of the excise; and who, in 1843, a plan proposed by Holtam, says that they have been the rather excise to many particulars, duties, letter to Sir John further; but that it would be well proceeded in the people to it by little and less intended to go on when the nation had been a duty necessary to use the some years, the Parliament given in 1843. Afterwards, 1849, that "the impost of the crown, in easy and indifferent levy that of the wily declared, in the people;" and, according to the wily declared, in during the Commonwealth, a duty was the most of William III. and succeeding, a duty was to be laid upon tion, the excise duties were was continued granted as part of the revenue was a term in the Restoration of the military tenures a certain Car. II. c. 24, exemption and purveyance. By the crown, in this branch of the royal revenue, the crown, in the over the right of pre- £7,000 granted in its stead, great part was taken from of William III. and succeeding, a duty was to be laid upon duties were laid upon a number of their part of upwards of in order to meet the enormous holiday During the reigns of our wars on the coast, monarchs, excise of the Excise department was a number of commodities with expenditure occa- Stamps and Taxes, under the (discontinued. In 1849, of Inland Revenue. (See INLAND REVENUE.)

EXCLUSION BILL.—A bill introduced into the House of Commons in 1679 for the purpose of excluding the Duke of York, brother to Charles II., from the succession to the throne, on the ground that he was a Roman Catholic. The bill passed the Commons, but was thrown out by the Peers. A new Parliament met in 1681, but as there seemed to be a determination to reintroduce the bill, Charles dissolved Parliament, and until his death, four years afterwards, no Parliament sat.

EXCOMMUNICATION, *eks-kom-mu-ne-kai-shun*, is an ecclesiastical censure or penalty, by which persons who have been guilty of any notorious crime or offence are cut off from the communion of the Church, and deprived of all ecclesiastical privileges. Among the early Christians excommunication was instituted for the purpose of preserving the purity of the Church and enforcing its discipline, though it came afterwards, in the hands of ambitious ecclesiastics, to be used as a means of advancing their own power, and was inflicted on the most frivolous occasions. The power of excommunication was lodged in the hands of the clergy, who distinguished it into the greater and the less. The latter consisted in excluding persons from participation in the Eucharist and the prayers of the faithful; the former deprived them of all the rights of the Church, and even cut them off from the society and conversation of the faithful, no one being allowed to receive an excommunicated person into his house, or to sit at the same table with him. He who was guilty of any intercourse with an excommunicated person, himself incurred the same sentence. Excommunication was early introduced into England as a means of ecclesiastical punishment; but many persons were indifferent to such censures; and so the common law stepped in to aid the Church, and declared that an excommunicated person is disabled from doing any act that is required to be done by a *probus et legalis homo*. He thus could not serve upon juries, could not be a witness in any court, and could not bring an action, real or personal, to recover lands or money due to him. And further, if within forty days after the sentence the offender did not submit and abide by the decision of the spiritual court, the bishop might certify such contempt to the king in chancery; upon which there issued out a writ to the sheriff of the county, called, from the bishop's certificate, a *significavit*, or, from its effects, a writ *de excommunicato capiendo*; and the sheriff might thereupon take the offender and imprison him in the county gaol till he was reconciled to the Church, and such reconciliation certified by the bishop; upon which another writ, *de excommunicato deliverando* issued out of chancery to deliver and release him. But by 53 Geo. III. c. 127, it is declared that "no person who shall be pronounced or declared excommunicate shall incur any civil penalty or incapacity in consequence of such excommunication, save such imprisonment, not exceeding six months, as the court pronouncing or declaring such person excommunicate shall direct." By that statute, excommunication can only be pronounced as spiritual censure for offences of ecclesiastical cognizance—adultery, heresy, simony, and the like; but the practice has long become obsolete.

EXCULPATION, LETTERS OF.—In Scotch law, warrants granted to an accused person

in a criminal prosecution to enable him to summon such witnesses as he may require for his defence.

EXECUTION, *eks-ek-shun* (Lat., *ex*, out; *secutus*, followed), in a general sense, is the performance of any act or duty. In Law, it is the last stage of a suit giving possession of anything recovered at law or in equity after the decision of the court—the putting in force of the sentence of the court. This is performed by different writs of execution, according to the nature of the action, and of judgment.

Execution of Deeds is the signing, sealing, and delivery of them by the parties, as their own acts and deeds, in the presence of witnesses.

In the Criminal Law. (See CAPITAL PUNISHMENT.)

EXECUTIONER.—The headman, hangman, or other official who inflicts the punishment of death. In England, the sheriff of the county is responsible for carrying out the sentence, but is permitted to employ a deputy. The executioner of the City of London is paid a salary, with an extra allowance for each occasion on which he officiates, and he is now generally employed for executions in other parts of England; but in old times, when capital punishment was inflicted for a large number of offences, almost every county had an executioner of its own. About 1682, a man named Jack Ketch was appointed executioner for London, and became so prominent a character that his successors have since been popularly called by his name. In France and Germany, the office of public executioner was for a long time hereditary by compulsion. The most famous family of modern executioners were the Sansons of Paris, one of whom decapitated Louis XVI., Marie Antoinette, and hundreds of other victims of the Revolution. The Sansons, father and sons, were persons of superior manners and education, and recently one of the family has published their memoirs. In the United States criminals are hanged by the sheriffs themselves, no professional executioner being employed.

EXECUTIVE, *eks-ek-u-tiv*, a power in a state, distinct from the legislative or judicial. The power that deliberates and enacts laws is the legislative, that which judges or applies the laws to particular cases is the judicial, while the executive is that which carries the laws into effect, or superintends the enforcement of them. In England, the executive is, by the constitution, supposed to be vested in the king and such inferior officers as he may appoint.

EXECUTOR, *eks-ek-u-tor* (Fr., *exécuteur*). A person intrusted by a testator to carry out the directions and requests in his will, and to dispose of his property, as directed therein, after his decease. When no executor is named by will, or when those named refuse to act, then the Probate Court nominates certain persons to act as administrators to the deceased. Before probate of the will, an executor may effectually do most of the acts that he could enforce afterwards; but an expected administrator can properly do no act whatever before obtaining letters of administration. An administrator, after receiving letters of administration, is in most respects in the same position as an executor, and the cases relating to the one, apply, in general, to those of the other. In Scots law, administrators are termed *executors dativi*—i.e., appointed by the court; the other class being executors *nominati*—i.e., appointed by will. The right to nominate as administrators or executors *dativi* is, generally speaking,

in the order of relationship to the deceased. In England, the widow or next of kin, have the first right to be appointed, and, failing them, creditors. In Scotland, persons entitled to the estate by a general settlement have a right to be appointed before others, and then the next of kin. An administrator is required to enter into bond with sureties for the faithful execution of his trust. An executor may refuse to act; but, having once acted, he cannot divest himself of the office or its responsibilities. An executor is not entitled to any remuneration for his own personal trouble, or loss of time, unless it be expressed in the will. The duties of an executor are to bury the deceased in a suitable manner, to prove the will, and make up an inventory of the personal estate; to collect the goods and chattels of the deceased, and to pay his creditors in the order of legal priority. The legacies are then to be paid as far as the assets extend, observing the distinction between a specific and a general legacy, the residue, if any, going to the next of kin. The office of an executor is one of great trust and responsibility, as he not only represents the deceased, but is also a trustee for behoof of the creditors, legatees, and next of kin of the deceased. He is liable for any loss occurring to the estate through negligence; for paying sums not due, unless upon decrees; for paying simple-contract creditors before special creditors, or legatees before all the debts are discharged, if there should be any deficiency in the estate. If he intronit with the funds or movables, so as to lead to a suspicion of fraud, or so as to leave no means of ascertaining its extent, he is liable for all the debts of the deceased; otherwise, an executor is liable for the debts of the deceased only to the amount of the inventory.

EXEGESIS, *eks-ej'e-sis* (Gr., from *ex*, out of; *egomai*, I lead), properly signifies the exposition or interpretation of any writing, but is almost exclusively confined to the interpretation of the sacred Scriptures. Exegesis is frequently confounded with hermeneutics. This distinction between them is thus given by Dr. Davidson:—"The meaning of all language, written or spoken, is developed by the application of general laws, usually termed *hermeneutics*. These principles, in their relation to Scripture, are styled *sacred hermeneutics*; and their application to particular instances has received the name of *exegesis*." Hermeneutics, then, is the science which lays down the principles of the art of interpretation, and exegesis is the application of these principles to particular instances. As the sacred books were written in foreign languages, by authors of a different age, and living in a country different from ours, it is evident, that in order to understand them thoroughly, requires not only an intimate acquaintance of these languages, but also a large mass of historical, geographical, and antiquarian knowledge. In the early ages of the Church, several of the fathers distinguished themselves as exegetical authors, as Origen, Chrysostom, Diodorus of Tarsus, and Jerome; but during the Middle Ages, from the ignorance of the sacred languages that then prevailed, the subject was almost entirely neglected. The Reformation revived this study in the labours of Luther, Melancthon, Calvin, Zwinglius, Beza, and others. Since that time, this subject has been receiving more and more attention at the hands of scholars, and never more than in the present day.

EXETER, OR EXON DOMESDAY.
(See DOMESDAY BOOK.)

EXILE. (See BANISHMENT, TRANSPORTATION.)

EXISTENCE, *eg-zis'tens*, means the state of being, duration, or continuation. In mental philosophy, it partakes of the theories of *materialism* and *perception*. According to all theories, existence must have been, even of *eternus*, before the Adamite world, and it will continue to eternity.

EXODUS, *eks'o-dus* (Gr., *exodos*, a going out, a departure).—The name given to the second book of the Old Testament, which contains a narrative of the departure of the children of Israel out of Egypt under the guidance of Moses. In Hebrew it is termed *re-aleh Shemolh*—"these are the names"—from the words with which the book begins. Exodus may be divided into two principal parts: (1) Historical (i. 1—xviii. 27), comprising (a) the preparation for the deliverance of Israel from their bondage in Egypt, and (b) the accomplishment of that deliverance; and (2) Legislative (xix. 1—xl. 38). In the first section we have an account of the great increase of Jacob's posterity in the land of Egypt, and their oppression under a new dynasty, which occupied the throne after the death of Joseph; an account of the birth, education, and flight of Moses; his solemn call to be the deliverer of Israel, and his return to Egypt; his ineffectual attempts to prevail upon Pharaoh to let the people go, the infliction of the ten plagues, and the institution of the passover. Then follows a narrative of their departure out of Egypt, their passage through the Red Sea, with the destruction of Pharaoh and his host in the midst of it; the principal events on the journey from the Red Sea to Mount Sinai; the bitter waters at Marah, the quails, the manna, the water from the rock at Rephidim, the battle with the Amalekites, and the arrival of Jethro with Moses' wife and children in the Israelitish camp. In the second part of the book we have the promulgation of the law on Mount Sinai, the preparation of the people by Moses for the renewing of the covenant with God, the promulgation of the moral law, the judicial law, and, lastly, the ceremonial law, including the construction and erection of the tabernacle. In chapters xxvii.—xxxiv. we have an account of the idolatry of the Israelites, the breaking of the two tables of the law, the divine chastisement of the people, and the renewal of the tables of the covenant. This book comprises a history of the events that took place during the period of 145 years, from the year of the world 2309 to 2514 inclusive, from the death of Joseph to the erection of the tabernacle. Twenty-five passages, according to Rivet, are quoted from Exodus by our Saviour and his apostles, in express words, and nineteen allusions to the sense are made in the New Testament. It is a generally received opinion that Moses was the author of this book; but there have been many learned critics, both Jews and Christians, of a contrary opinion. There are many difficulties connected with this book, which have been attempted to be explained in different ways; some holding that it is the work of a much later author than Moses; others that it is the work of two distinct authors, living at different times; a third party that it abounds with interpolations, and so on. Dr. Colenso, bishop of Natal, who has given great attention

to, and published several elaborate and learned works respecting the Pentateuch, says—"I have arrived at the conviction, as painful to myself at first as it may be to my reader, though painful now no longer under the clear shining of the light of truth, that the Pentateuch, as a whole, cannot possibly have been written by Moses, or by any one acquainted personally with the facts which it professes to describe; and further, that the (so called) Mosaic narrative, by whomsoever written, and though imparting to us, as I fully believe it does, revelations of the divine will and character, cannot be regarded as historically true." (See PENTATEUCH.)

EX-OFFICIO, *eks-of-fish'-e-o* (Lat., by reason of office or duty), a term applied to an act done in execution of a power which a person has by virtue of his office. In legal phraseology, *ex-officio* informations are informations at the suit of the Queen, filed by the attorney-general, by virtue of his office, without applying to the court wherein filed for leave, or giving the defendant an opportunity of showing cause why it should not be filed. *Ex-officio* criminal informations are used in official prosecutions in cases of libel, sedition, &c.

EXORCISM, *eks-or-sizm* (Gr., *ἐξορκισμός*, I conjure), is the conjuration of evil spirits, in the name of God or Christ, to depart out of a person possessed. In the early ages of the Church, when persons were about to be baptized, they were called upon to make a solemn renunciation of the devil and all superstitious practices and worship; but afterwards, about the 4th century, when all idolaters came to be looked upon as possessed of devils, it became customary to exorcise them previous to their being baptized. Soon afterwards it came to be a form generally employed in baptism even of children of Christian parents, who were also regarded as possessed by the devil before baptism. The words employed were, "I adjure thee, unclean spirit, that thou come out of this servant of Jesus Christ; in the name of the Father, and the Son, and the Holy Ghost." Exorcism was retained by Luther, but was laid aside by the Reformed church. The Roman Catholics employ exorcism in three different cases; - in the administration of baptism, in actual or supposed demoniacal possession, and in the blessing of the chrism and holy water.

EX PARTE, *eks-par'-te* (Lat., of one part), is a phrase used in Chancery proceedings, when a commission is taken out and executed by one side or party, the other party refusing or neglecting to join therein. When both parties join, it is called a joint commission. Hence the term *ex parte* has come to be applied, in common language, to any statement or evidence coming from one of the interested parties.

EXPECTATION WEEK.—A name sometimes given to the period elapsing between Ascension Day and Whitsunday (Pentecost), because during that time the apostles were in expectation of the manifestation of the Comforter.

EXPERIENCE, *eks-pe'-re-ens* (Lat., *experientia*), can, strictly speaking, be applied only to what has occurred within a person's own knowledge, and in this sense, of course, can only relate to the past. Thus, a man knows by experience what sufferings he has undergone in a certain disease. Frequently, however, the word is used to denote a judgment derived from ex-

perience in its primary sense; and thus only can experience be applied to the future, or any general fact; as when it is said that we know by experience that water at a certain temperature will freeze.

In Religion, the term is applied to the consciousness on the part of a believer of a series of spiritual experiences, or profound impressions convincing him that a work of conversion and regeneration is going on.

Experimental Philosophy is that which deduces the laws of nature, the properties of bodies, and their mutual actions upon one another, from experiments and observations. Experimental philosophy is founded on ocular demonstration, or that which cannot be denied without violating common sense or clear perception. (See INDUCTIVE PHILOSOPHY.)

Experimentum Crucis, *eks-per-e-men'-tum kru'-sis* (Lat., experiment of the cross), a leading or decisive experiment, either so called on account of its being like a cross or direction-post, placed by the roadside in order to guide travellers in the right path, or on account of its being a kind of torture to elicit the truth, as the cross was used like the rack for that purpose in ancient times.

EXPERT, *ek'-pert* (Lat., *expertus*, specially skilled), a person who has studied a particular subject, or produced a special art, till he possesses a peculiar acquaintance with it. The term is generally applied to witnesses who are summoned in trials to afford special information respecting poisoning, handwriting, and other matters, respecting which their peculiar knowledge or experience is valuable.

EX-POST-FACTO, *eks-post-fak'-to* (Lat., after the acts), a law phrase which is applied to something which has already been done or proved. For instance, a law is said to be made *ex-post-facto* when it applies to an offence in a manner in which it was not punishable at the time it was committed; that is, a law made for the offence itself.

EXTENSION, *eks-ten'-shun* (Lat., *extensio*, a stretching), in Logic, is a term used in contrast to comprehension, and, as applied to a general notion, it denotes the number of objects included under it. By detaching properties from a notion, we extend the list of objects to which it applies; by narrowing the sphere of a notion, the qualities which it comprehends proportionally increase. Thus, the greater the extension of common term, the less the comprehension, and *vice versa*.

EXTENT, OR EXTENDI FACIAS, *eks-ten'-ti*, is a writ of execution, directed to the sheriff, against the body, lands, and goods, or the lands only, of a debtor. The sheriff is to cause the lands, &c., to be appraised to their full extended value before he delivers them to the plaintiff, in order that it may be certainly known how soon the debt will be satisfied. Extents are either *in chief*, or *in aid*. In extents in chief, the crown is the real plaintiff against a crown debtor; and under it his body, lands, and goods may be taken at once. Extents in aid are sued out at the instance and for the benefit of the crown, against the debtor of a crown debtor.

EXTORTION, *eks-tor'-shun* (Fr., *extorquer*, to draw from by force, from Lat., *extorquere*, I wrest from), in Law, is an abuse of public justice, which consists in any officer unlawfully taking, by colour of his office, from any man, any money or thing of value that is not due to him, or more than is due, or before it is due. This is an offence at common law, punishable by fine and imprisonment.

EXTRADITION, *ek-s-tra-dik'-an* (Lat., from *ex*, and *trado*, I deliver), denotes the delivery from one nation to another, and is more particularly applied to the delivery by one nation or state to another of fugitives from justice, in accordance with treaty. The United Kingdom has concluded extradition treaties with many of the leading states of the world. The Extradition Act (43 and 34 Vic. c. 52) passed in 1870, defines the offences for which extradition is allowed by the law of this country—murder, manslaughter, coining, forgery, larceny, false pretences, bankruptcy offences, rape, abduction, child-stealing, burglary, arson, robbery, threats to extort money, sinking of ships, and revolts and assaults on ships. Extradition does not apply to political offences.

EXTREME UNCTION, *ek-s-trem'-unk'-shun* (Lat., *extremus*, last; *unguo*, I anoint), is one of the seven sacraments of the Roman Catholic church, founded upon that passage in the Epistle of St. James which says:—"In any sick among you? let him call for the elders of the church, and let them pray over him, anointing him with oil, in the name of the Lord: and the prayer of faith shall save the sick, and the Lord shall raise him up," &c. (v. 14, 15). This passage, it is said by Protestants, has reference only to the miraculous powers which were exercised in the time of the apostles. The rite of unction is frequently alluded to by the fathers; but it, at that time, was common to several of the sacraments, and it was also employed as a means of restoring to health. It is called "extreme," because it is only for persons at the point of death—the closing ceremony of life. It is believed to purify the soul of the dying person from any sins that he may have committed, and to give him strength and grace to encounter the last struggle. It is administered by the priest, who, dipping his thumb in the holy oil, anoints the sick person in the form of the cross, upon the eyes, ears, nose, mouth, hands, and feet, each time saying—"Through this holy unction, and his most tender mercy, may the Lord pardon thee whatever sins thou hast committed, by thy sight (hearing, &c.). Amen." The holy oil is blessed by the bishop every year with much solemnity, on Maundy Thursday. The council of Trent passed several canons on this subject, declaring it to be truly and properly a sacrament instituted by Jesus Christ. In the Greek, Coptic, Armenian, and Nestorian churches, the rite is practised, although with many ceremonial variations.

EYALET, *é-a-let'*.—A division of the Turkish empire, next in importance to a province. The government is administered by a pacha of two tails who is styled *Vah*, or Viceroy.

EYRE, *ire* (old Fr., *ire*, to go on).—Judges first went on circuit in the reign of Henry II., and from that duty were styled "justices in eyre."

EZEKIEL, *ez'-ke-el* (Hob., strength from God), is the name of one of the canonical books of the Old Testament, placed after the Book of Lamentations, and before that of Daniel. It is named after its author, Ezekiel, who was carried away by Nebuchadnezzar into Mesopotamia in the first Babylonish captivity, and is stated to have commenced his prophesying in the fifth year of his captivity (about B.C. 59). The book consists of 33 chapters, divided into two equal halves: the first containing oracles before the fall of Jerusalem; the last, oracles after that event—

the catastrophe in question forming the centre and culminating point of the book. In the first part we have (1) an account of Ezekiel's call to prophetic office, his commission, instructions, and encouragements for performing the duties (i.—iii. 21); (2) a circumstantial announcement of the destruction coming upon Judah and Jerusalem, on account of the wickedness of the people (iii. 22—vii.); (3) a cycle of visions and prophetic discourses, relating to the rejection of the covenant people, with a copious description of the guilt of the people, their rulers, priests, and false prophets (viii.—xix.); (4) several discourses reproving the idolatry of the people, and proclaiming the fearful judgment coming upon Jerusalem (xx.—xxiii.); (5) the destruction of Jerusalem and its inhabitants figuratively delineated (xxiv.). The second part opens with prophecies against the Ammonites, Moabites, Edomites, and Philistines; (2) we have a prophecy against Tyre and Sidon (xxvi.—xxviii.); (3) a prophecy against Egypt (xxix.—xxxii.); (4) predictions respecting the restoration of the theocracy; (5) of the future salvation of Israel, in its conditions and basis (xxxiii.—xxxvi.); (6) in its development, from the reanimation of the people to their victory over all enemies of the Divine kingdom (xxxvii.—xxxix.); (7) the renewal and glorification of the theocracy in the Messianic period (xl.—xlviii.). There are so few grounds for doubting the genuineness of this book that its authenticity has been very little called in question. Ezekiel seems to have been admirably fitted by natural disposition, as well as by spiritual endowments, to contend with the "rebellious house," the "people of stubborn front and hard heart," to whom he was sent. With force, fire, and vehemence, he performs the functions of the prophetic office, throwing his whole soul into the work. He is deep, vehement, tragical; and the only sensation which he affects to excite is the terrible. The vigour and definiteness of his conceptions, down even to the minutest parts, is very marked. A recent writer says:—"The increasing information we have in respect to the sculptures and inscriptions of ancient Babylon throws new light upon Ezekiel's writings, and shows how fully their characteristics agree with the circumstances in which he was placed." The text presents many difficulties, being much corrupted by glosses and alterations by later hands; but the Septuagint may be referred to with advantage.

EZRA, BOOK OF, *ez'-ra*, stands next after the second book of Chronicles, and before the book of Nehemiah, among the canonical writings of the Old Testament. It has generally, both by Jews and Christians, been attributed to the priest whose name it bears; chiefly because, in ch. viii. and ix., the actions of Ezra are related in the first person. It is a continuation of Jewish history, from the close of the book of Chronicles; giving an account of the post-exilic history of that people, from their return out of captivity under Zerubbabel and Joshua till the arrival of Ezra in Jerusalem, and the reformatory measures set on foot by him in the new colony. The events narrated in the book occupy a period of about seventy-nine years (B.C. 536—457). It contains (1) the edict of Cyrus, permitting the Jews to return into Judæa and rebuild the temple, with an account of the people who first returned under the leadership of Zerubbabel, and of their offerings towards rebuilding the temple (i. ii.); (2) the building commenced (iii.); (3) hindrances from the Samaritans (iv.); (4) the temple finished in

the sixth year of Darius Hystaspes, by the aid of a decree issued in the second year of his reign, and dedicated (v. vi.) (5) the departure of Ezra from Babylon, with a commission from Artaxerxes Longimanus (viii.) (6) account of his companions, and arrival at Jerusalem (viii.); (7) nar-

native of the reformation effected by him (ix. x.). The book of Nehemiah is sometimes called the second book of Ezra, the two having been at one time connected together: besides which there are two apocryphal books of that name. (See *ESDRAS*.)

F.

FACULTIES, COURT OF, *fak'-ul-ties*, a court established by 25 Henry VIII. c. 21, under the archbishop of Canterbury, and having power to grant faculties, privileges, indulgences, dispensations, licenses, and the like, connected with ecclesiastical matters. Now the business of the court is chiefly confined to granting licenses to marry.

FACULTY, *fak'-ul-te* (Lat., *facultas*), a term commonly applied to those active powers of the mind which are original and natural, and which make part of the constitution of the mind. Capacity, on the other hand, is applied to those manifestations of mind in which it is generally regarded as passive, as affected or acted upon by something external to itself. "Powers natural and active," says Sir W. Hamilton, "are called faculties. Powers natural and passive, capacities or receptivities. Powers acquired are habits, and habit is used both in an active and passive sense." Conscience, or the moral sense, is sometimes described as the moral faculty.

In a University, a Faculty is one of the particular departments of teaching. In most universities there are four faculties—viz., arts, law, medicine, and theology. (See *UNIVERSITIES*.) Members of the medical profession are commonly referred to as "the faculty."

In Ecclesiastical Law, a grant of faculty by the ordinary is an order by the bishop of the diocese to award some privilege not permitted by the common law. A faculty must be obtained before any important structural alteration in a church can be made. Even an organ cannot be set up, or a monument placed within a church without a faculty, and pews can only be let to particular persons by authority of a faculty.

FAGGOT, or **FAGOT**, *fag'-got* (Fr., *fagot*), is generally a bundle of sticks or small branches of trees bound together. In times of religious persecution the faggot was a badge worn on the sleeve of the upper garment of such persons as had abjured heresy, being put on after the person had publicly carried a faggot to some appointed place by way of penance. To leave off the wearing of this badge was sometimes regarded as a sign of apostasy. Among military men faggots were persons hired by officers whose companies were not full, to muster and hide the deficiencies of the company, and thus cheat the government of so much money.

In Politics, faggot votes are votes created by the partitioning of an estate into numerous small tenements, which are let to persons at an almost nominal rent, upon condition of voting at elections according to the wishes of the lessor.

FAIR, *fair* (Fr., *foire*, from Lat., *forum*, a market-place), is a larger species of market, which is held at more distant intervals, and sometimes devoted to one species of merchandise, sometimes to several. In the earlier stages of society, and in inland countries, where the facilities for commerce are comparatively circumscribed, the bringing together of commodities and dealers at certain times and in convenient places is of the utmost

importance; and for this purpose various privileges have been annexed to fairs, and numerous facilities afforded for the disposal of property in them. In this country no fair can be held without a grant from the crown, or a prescription which supposes such grant; and before a patent is granted, it is usual to have a writ of *ad quod damnum* executed and returned, that it may not be issued to the prejudice of a similar establishment already existing. If her Majesty grant power to hold a fair or market in a particular place, the lieges can resort to no other, even though it should be inconvenient; but if no place be appointed, then the grantees may hold it where they find it to be most convenient. Formerly courts were established in connection with fairs, commonly called *pie poutre*, in allusion to the dusty feet of the suitors, where summary judgment was administered on all matters of dispute arising from transactions at the fair. In this country the fairs have lost much of their ancient importance, and many of them have all but disappeared. The growth of towns, and the facilities afforded for the disposal and purchase of all kinds of produce, have rendered them much less necessary now than formerly. Those that are chiefly of use in the present day, and which have least declined, are the cattle and horse fairs. The August fair of Horncastle, in Lincolnshire, is the largest horse fair in the kingdom, many thousand horses being exhibited for sale at it. St. Faith's, near Norwich (October 17), is the principal English fair for Scotch cattle; and Weyhill fair, in Hampshire (October 10), has probably the greatest display of sheep of any fair in the kingdom. Falkirk fair, or tryst, is one of the most important in Scotland for the sale of cattle and sheep; and hardly inferior to it are those of Melrose and Lockerby. In Ireland, an important horse and cattle fair is held at Ballinasloe. In Germany, the principal fairs are those of Leipzig, Frankfurt-on-the-Maine, and Frankfort-on-the-Oder. In France, that of Beaucaire was formerly the largest in Europe, and is still frequented by a vast concourse of people. The great fair of Nishnij-Novgorod, in Russia, is at present the most important in Europe, being frequented by buyers and sellers from different parts of Europe and Northern and Central Asia. Another celebrated Russian fair is that of Kiachta, on the Chinese frontier, where the greater part of the commerce between the Chinese and Russian empires is transacted. A large fair is held at Mecca during the resort of pilgrims to that place.

FAITH, *faith* (Lat., *fides*), is that assent or credence which we give to the declaration or promise of another, on the authority of the person who makes it. The greater part of our knowledge is derived from the information of others and depends upon the credence which we give to their testimony; hence, to believe and to know are sometimes used indiscriminately. Faith is

the means by which we obtain a knowledge of things which do not come under our own observation—*things not seen*; and in this way faith is distinguished from sight. Faith is also distinct from reason, in so far as it deals with matters which we cannot comprehend by our reason; but, at the same time, while we exercise faith, we must also exercise reason; for it is impossible to exercise an acceptable faith without reason for so exercising it. Faith, in Theology, denotes the assent of the mind to the truth of what has been revealed to us in the holy Scriptures, more particularly that living reception of truth by the heart by which we see our sinfulness in the sight of God, and are led to flee to Christ for salvation. In the age before the Christian dispensation there was a faith which trusted in the power of God and by reason of that trust obeyed, "not having received the promises, but having seen them afar off," as described in the famous passages in St. Paul's Epistle to the Hebrews xi., 17-31. There was also in the early church that miraculous faith by which the apostles and others were able to work miracles.

FAKIR, fa-keer (Arab., poor), a term applied to ascotics in several parts of the Eastern world, particularly in India, and is nearly synonymous with the Persian and Turkish dervish (which see). Some of them live in communities, like the monks of the Western world, while others live singly, as hermits, or wander about, making strange displays of self-torture and mortifications. Their appearance is filthy and disgusting in the extreme. They go about naked, frequently with their bodies besmeared with the dung of the holy cow. They sometimes unite in bands, carrying banners, and making a great noise with drums and horns. They receive alms of the meanest food, but without returning thanks. Some of them hold their arms up in one position for years, till they have lost the power of taking them down again; others bend the body forward, till they are unable to restore it to its natural position; while others clench their fists till the nails grow through the hand. They usually take up their abode in shady places, either in the open air or in old and ruinous buildings, without anything to repose on or to cover themselves. One writer affirms that a member of this order should have ten of the qualities proper to the dog; among which are, to be always hungry; to have no fixed residence; to watch during the night; to leave no heritage after his death; not to abandon his master, although ill-treated by him; to content himself with the lowest place, and to yield his seat to any one who wants it. It is estimated that there are not less than three millions of Fakirs in India. Many of them are undoubtedly insane; but the greater part of them are impostors and hypocrites.

FALL OF MAN, DOCTRINE OF THE.—The doctrine of the introduction of evil into the world, consequent on the fall from the favour of God by the disobedience of our first parents, followed by the depravation of the human race. (See GENESIS.)

FALLACY, fal-la-se (Lat., *fallacia*), is defined by Whately to be "any argument, or apparent argument, which professes to be decisive of the matter at issue, while, in reality, it is not." Fallacies are commonly divided into two classes, according as the error lies in the words of the reasoning (*in dictione*) or in the matter (*extra*

dictionem). The former are otherwise describable as *formal*, or logical fallacies; the latter as *material*, or non-logical fallacies, as errors arising beyond the reasoning process. They may be otherwise distributed into three classes—fallacies of assumption, fallacies of exposition, and fallacies of inference; the first two being fallacies *extra dictionem*, the last in *dictione*. The fallacy of assumption consists in our reasoning from premises which are either untrue in themselves, or not admitted by those whom we wish to convince; as in begging the question when we take a thing for granted which requires to be proved, and in reasoning in a circle. A fallacy of exposition consists essentially in a misstatement or wrong exposition of the question argued. This fallacy is committed when the conclusion which we infer, although it may legitimately be deduced from premises true or admitted, is not the conclusion which we are bound to prove—it is not to the point, or away from the question. It is called in Latin *ignoratio elenchi*, because it is not the "elenchus" (i.e., proof of the contradictory of your opponent's assertion), which it should be. The varieties of this form of error are very numerous. Fallacies of inference are all *in dictione*—formal or logical fallacies. In this class the conclusion, which the argument is supposed or alleged to prove, does not follow from the premises. Fallacies of inference arise from illicit process either of the major or minor term, non-distribution of the middle term, or the occurrence of more terms than three. Fallacies of inference are otherwise divided into purely logical fallacies, or such as appear on the face of the argument, and semi-logical fallacies, those which are not apparent until we have ascertained the meaning of the term in which it occurs. All semi-logical fallacies of inference are referable to one cause—ambiguity of terms.

FALSE, falsus (Lat., *falsus*), that which is opposed to existing facts, untrue.

False Christs.—Jesus Christ prophetically warned His disciples (Matt. xxiv. 24) that there should arise false Christs and false prophets. Of false Christs no less than sixty-four have arisen, according to ecclesiastical writers; but many unimportant persons are included in the estimate. Even so late as the end of the 17th century, a German Jew, named Mondecal, assumed himself as Christ.

False, Rule of.—An arithmetical method, sometimes known as False Position, employed where a direct solution of the question is impracticable. Any number is chosen at hazard as that which is sought, and of course a false result is obtained, and from the amount of the error it is ascertained by proportion what the assumption ought to have been. The method is now rarely resorted to, being superseded by equations.

False Imprisonment.—Every confinement of the person is an imprisonment, whether it be in a common prison, in a private house, or even by forcibly detaining one in the public streets. Unlawful or false imprisonment, then, is when such confinement takes place without sufficient authority. A person who falsely imprisons another is liable to a criminal prosecution, and also a civil action for damages.

False News.—The spreading of false news, to make discord between the king and nobility, or concerning any great man of the realm, is a misdemeanor, and punishable by common law with fine and imprisonment.

False Pretences, obtaining Money by.—The first legislation referring to this was in the 13th year of Henry VIII.; and there have been subsequent acts of Parliament, consolidated by 24 and 25 Vic. of which is now the ruling statute on the subject (ii.); (the general principle is that, whenever a person fraudulently represents as an existing fact that which is not, and by

such misrepresentation obtains money, &c. that is an offence within the Act, but a promise merely to do some act is not such a false representation as will sustain a conviction.

False Signals. (See WRECKING.)

False Return. Action for.—If a sheriff makes a false return to a writ, the party injured may maintain an action against him.

False Swearing. (See PERJURY.)

False Weights and Measures. (See WEIGHTS AND MEASURES.)

FALSIFYING RECORDS.—By 24 and 25 Vic. c. 96, any person obliterating, injuring, or destroying any record, writ, &c., or any original document belonging to any court of record or equity is guilty of felony; and by 24 and 25 Vic. c. 98, any person employed to furnish artificial copies wilfully certifying any document as a true copy, knowing the same not so, is guilty of a felony.

FAMA CLAMOSA, *fai'-ma klam-o'-sa* (Lat.), in the Ecclesiastical Law of Scotland, is a wide-spread report affecting the moral character of a clergyman or elder of the church, and which may be taken up and investigated by the church courts, independently of any regular complaint by a particular accuser.

FAMILIAR SPIRITS, *fam-il'-yar* (from Lat., *familia*), a name given to certain demons or evil spirits, which were supposed to attend and be at the service of a magician, or other favoured person. The belief in familiar spirits is very ancient, and by the law of Moses, such as had familiar spirits were to be put to death. Where Socrates speaks of his attendant demon, he is generally understood to refer to the inner feelings and promptings of his nature, and not to any familiar spirit. In eastern countries, the belief in familiar spirits is very general; and it was widely diffused over Europe in the Middle Ages. A favourite form assumed by a familiar spirit was that of a black dog. Jovius says that Cornelius Agrippa was always accompanied by a devil in the form of a black dog; and Goethe makes Mephistopheles first appear to Faust in this shape. Paracelsus was believed to carry about with him a familiar spirit in the hilt of his sword.

FAMILIARS, *fam-il'-yars* (from Lat., *familia*), a family, as belonging to the family of the inquisitor, the name given to certain officers of the Inquisition, who assisted in apprehending such as were accused, and carrying them to prison. This office was esteemed so honourable that even noblemen and princes were ambitious of being admitted to it—even the king of Spain himself assuming that title, and becoming protector of the order. Familiars were granted large indulgences and privileges, and might commit the most heinous crimes with impunity.

FAMILY, *fam'-e-le* (Lat., *familia*; Gr., *oikos*), is applied in a general sense to a number of individuals living together, or standing in a certain degree of relationship to each other; a household, including parents, children, and servants; or all descended from one common progenitor. Among the Romans, *familia* was applied to all persons in the power of a *paterfamilias*—as his sons, daughters, grandchildren, and slaves; but it was also used in a wider sense, including all objects of property, even inanimate, and is explained by Gaius by the equivalent *patrimonium*. The family is the corner-stone of the social edifice, and has been taken as a model for form-

ing other associations—political, civil, or religious. Among the early Hebrews, and in eastern countries, the patriarchal form of government is only an extension of the family relationship. The Greeks regarded the family as a type of the state; and among the Romans the natural power of a father was taken as the basis of the whole social and political organization of the people. A nation is, in fact, an extended family.

FANATICS, *fa-nat'-iks* (Lat., *fanaticus*), is derived from the Latin *fana*, temples, and was applied to such as passed their time in temples, and, pretending to be inspired by the Divinity, would burst into wild and antic gestures, utter pretended prophecies, cut themselves with knives, &c. Hence, the term has, in modern times, come to be applied to such as manifest a religious enthusiasm, uncontrolled by reason or experience, and proceeding from a belief that they are under divine direction, and doing what will be well-pleasing in the sight of God.

FANCY, *fan'-se* (Gr., *phantasia*), a corruption of phantasy, was used by the ancient philosophers as co-extensive with conception—that power or faculty of the mind by which man reproduces the images of objects, apart from any impression on the organs of sense. It is now properly applied to a particular province of the imagination, though sometimes it is loosely used as synonymous with it. Dugald Stewart says, "A man whose habits of association present to him, for illustrating or embellishing a subject, a number of resembling or analogous ideas, we call a man of fancy; but for an effort of imagination various other powers are necessary, particularly the powers of taste and judgment. It is the power of fancy which supplies the poet with metaphorical language, and with all the analogies which are the foundation of his allusions; but it is the power of imagination that creates the complex scenes he describes, and the fictitious characters he delineates. To fancy we apply the epithets of rich or luxurious; to imagination, those of beautiful or sublime."

FARMERS-GENERAL, *farm'-ers-jen'-e-ral* (Fr., *fermiers généraux*).—A name given in France to the members of a privileged association, who, before the revolution of 1789, farmed certain branches of the public revenue, that is, paid the government a certain fixed annual sum for the right of collecting certain of the taxes. Under Francis I., in 1546, the duties on salt were first raised by farming the monopoly of its sale in each town. In 1599, Sully introduced the system of disposing of the right of farming the taxes to the highest bidder, and in this way greatly increased the public revenue. In 1728, under the regency, several of the individual leases were united into a *ferme générale*, which was let to a company, the members of which were termed *fermiers généraux*. In 1789, the number of farmers-general was 60, who paid annually into the treasury 180 millions of livres. They were possessed of extensive powers and privileges, conferred upon them by special decrees; and, from the manner in which they exercised their powers, they were viewed with great detestation by the people. Hence, during the Revolution, to which this in no small degree contributed, many of these odious taxgatherers perished on the scaffold, and an end was put to the system.

FARNOVIANS, *far-no'-ve-ans*.—The fol-

lowers of Stanislaus Farnowski, who separated from the Unitarians about 1568. The sect became extinct after the death of the founder in 1675.

FASCES, *fás'-sez*, was a term applied in Roman antiquity to a symbol of authority introduced by the kings. The *fascēs* consisted of a bundle of rods (usually birch) bound together, with an axe in the centre, the head of which projected so as to be visible to all. A class of officers somewhat similar to our old *heralds* bore the *fascēs* before the kings, and they were called *lictors*. The king was usually preceded by twelve *lictors* whenever he went abroad, and after the days of the kings, the consuls were allowed a similar number. The dictator was preceded by twenty-four *lictors*, to signify his unrestricted supremacy. Afterwards the *lictors*, with their *fascēs*, were allowed, in diminished proportion, to each of the chief magistrates in the city, and even in the provinces.

FAST (Anglo-Saxon, *feastan*.) The term *fast* is particularly applied to a religious observance—the abstinence from food for a time, in order to increase a devotional feeling in the mind. Religious fasting may be said to have been practised in all ages and countries where any devotional feeling prevailed—among the ancient Egyptians and Assyrians, as well as among the Hindus and Mohammedans of the present day. In China, Tibet, and Java, fasting at stated times is a religious ordinance. In the law of Moses, we do not find much reference to fasting; and some are disposed to think that it was “among those things which Moses allowed rather than originated, bore with rather than approved,” as being an old and well-established practice. Of this, however, there does not seem to be sufficient evidence. There is but one fast enjoined by the great Hebrew lawgiver. On the tenth day of the seventh month, the great day of annual atonement, they were to “afflict their souls,”—a phrase which, doubtless, points to abstinence from food, as, indeed, is shown by the later practices among the Jews. Other general fasts were in course of time introduced, as commemorative of great national calamities. The prophet Zechariah enumerates four of these as being observed in his day: “the fast of the fourth month, and the fast of the fifth, and the fast of the seventh, and the fast of the tenth.”—(Zech. viii. 19.) On particular and signal occasions, also, particular fasts were appointed, and private fasts were also common, especially among the later Jews. The abstinence usually lasted for twenty-seven or twenty-eight hours, beginning before sunset and not ending till some time after sunset the following day. On these occasions they put on sackcloth and sprinkled ashes upon their heads, in token of their grief and repentance. Partial fasts were also occasionally observed on particular occasions by certain of them; as when Daniel tells us that he mourned for full three weeks, and “ate no pleasant bread, neither came flesh nor wine in my mouth, neither did I mount myself at all till three whole weeks were fulfilled.”—(Dan. x. 3.) Jesus Christ is stated by the Evangelists to have fasted forty days and nights. Though fasting is not positively enjoined by Christ or the apostles, we have evidence in the New Testament that it was practised by them; and St. Paul, in enumerating what he had done and endured in the cause of Christ, says, “in watchings often, in hunger and

thirst, in fastings often.”—(2 Cor. xi. 27.) In the earliest times we do not find mention of any public and solemn fasts being observed except upon the anniversary of Christ's crucifixion. However, in process of time, days of fasting were gradually introduced, first by custom and afterwards by positive appointment. Towards the close of the 3rd century fasting came to be held in much greater esteem, from a notion that it served as a security against the machinations of evil spirits, who were believed to direct their efforts principally against the luxurious. Fasting came also to be regarded as the most effectual means of appeasing the anger of an offended Deity; and hence it came to be looked upon as an indispensable duty, and express laws were enacted regarding it by the rulers of the Church. As it became more general, the severity of it was relaxed, and a more abstinence from flesh and wine was judged sufficient. (See **LENT**.) The strict canonical fast only allows one meal in twenty-four hours. The Greek church enjoins the keeping of fasts, with great rigour, and the days of fasting are many. (See **GREEK CHURCH**.) By the regulations of the Anglican church, fasting, though not defined as to its degree, is inculcated at seasons of peculiar penitence, and humiliation as a valuable auxiliary to the cultivation of habits of devotion and of self-denial. The distinction between the Protestant and the Romish view of fasting is this, that the Roman regards the use of fasting as a means of grace, the Protestant only as a useful preparation for the means of grace. Jews observe six solemn fasts—the day of atonement, the anniversary of the taking of Jerusalem, the murder of the Jewish governor Gedaliah (Jer. xli. 2), the siege by Nebuchadnezzar, the fast of Esther, and the anniversary of the destruction of the first and second temples. Some other days are occasionally observed as fast days. Fasting, with the Jews, means entire abstinence from food from daybreak till the appearance of the first three stars; but on the two most solemn days, those commemorating the atonement and the destruction of the temples, the fast commences at sunset on the previous evening. Mohammedans fast by day but not at night, during the whole month of Ramadan, on which month, they believe, their Prophet brought the Koran from heaven; and there are many days on which fasting is recommended, but not enforced.

FASTI, *fás'-te* (Lat., *fastus*, things in accordance with divine law), a term used in Roman antiquity for the purpose of signifying calendars, in which were comprised a notation of all the various days of the year, with their feasts, fast-days, and days set apart for the celebration of games and other ceremonies. There were two different kinds of *fasti*—the *fasti calendares* and the *fasti magistratus*—the less and the greater. The former was merely a kind of diary, in which all the days were recorded as feasts, fast-days, &c., the latter was more of a record of things appertaining to the gods, the emperors, and the magistrates. The *fasti* were also registers of different periods when the different years were denominated, of the names of the various consuls, and the principal events and circumstances which occurred during their consulate were thus recorded. This register was termed *fasti consularis*, or the consular register. The *dies fasti* were always marked in the calendar by the letter F. The classic poet Ovid celebrates the *fasti* in his *Libri Fastorum*.

FATALISM, *fate'-al-izm*, is a belief in fate, an unchangeable destiny, to which everything is subject, uninfluenced by reason, and pre-established either by chance or by the Creator. A fatalist is one who believes in fatalism.

FATE, *fait* (Lat., *fatum* a decree or ordinance), denotes, in a general sense, an inevitable necessity dependent on some superior cause. Fate is sometimes divided into physical and divine; the former being the order and series of natural causes appropriated to their effects, the latter what is more usually called providence. According to Leibnitz, there are three kinds of fate—"a *fatum Mahometanum*, a *fatum Stoicum* and a *fatum Christianum*. The Turkish fate will have an event to happen, even though its cause should be avoided, as if there was an absolute necessity. The Stoical fate will have a man to be quiet, because he must have patience whether he will or not, since it is impossible to resist the course of things. But it is agreed that there is a *fatum Christianum*, a certain destiny of everything, regulated by the foreknowledge and providence of God."

FATES, THE. (See PAROE.)

FATHER, *fa'(-)ther* (all later forms of the word from Greek *pater*, he that hath begot a child), a male parent, the natural head of the family. The term is very variously applied in Scripture, and occurs in modes of expression which are not quite usual in European languages. For, besides the meaning of the word common to all languages (1) of the immediate male parent; (2) of the more remote ancestor; (3) of one occupying somewhat of the position and exercising the authority of a father; it is also extended (4) to all who in any respect might be said to provide for and have power over any object or person; (5) the inventor of an art was called its father, or the father of those who practised it—thus Jubal was "the father of all such as handle the harp and organ;" (6) applied to places, as Salma, "the father of Bethlehem." The Roman Catholics style their priests "fathers."

In Theology.—The Father is the pre eminent designation of the first Person of the Trinity, and the "fatherhood" of God is one of the most affecting of his attributes.

FATHERS, THE, *fa'-thers* (Sax., *fæder*), a name applied to the early writers of the Christian church—those writers who have given us accounts of the traditions, practices, &c., that prevailed in the early church. The term is mostly confined to those who lived during the first six centuries of the Christian era, and no writer is dignified with the title of father who wrote later than the 12th century. They are frequently divided into the Greek and Latin fathers; and those who flourished before the council of Nice, in 325, are called the ante-Nicene fathers. The chief fathers of the first six centuries were as follows:—In the 1st century flourished Clement, bishop of Rome, and Ignatius, bishop of Antioch; in the 2nd century we have Polycarp, bishop of Smyrna, Justin Martyr, Hermias, Dionysius of Corinth, Hegesippus, Tatian, Athenagoras, Theophilus, bishop of Antioch, Irenæus, bishop of Lyons, Clement of Alexandria, and Tertullian; in the 3rd century, Minucius Felix, Hippolytus, Origen, Cyprian, Dionysius (Bishop of Alexandria), Gregory (Thaumaturgus); in the 4th century, Ambrosius, Lactantius, Eusebius, Julius Firmicus Maternus, Hilary, bishop of Poitiers, Athanasius,

Basil, Ephraim the Syrian, Cyril of Jerusalem, Gregory of Nazianzen, Gregory of Nyssa, Ambrose, archbishop of Milan, Epiphanius, bishop of Salamis, Chrysostom, bishop of Constantinople, Rufin, præsbyter of Aquileia; in the 5th century, Jerome, Theodorus, bishop of Mopsuestia, Augustine, Cyril of Alexandria, Vincent of Lérins, Isidore of Pelusium, Theodoret, bishop of Cyrus in Syria, Leo I., surnamed the Great, Vigilius, bishop of Thapsus; in the 6th century, Procopius of Gaza, Aretas, Gregory, bishop of Tours, Gregory I., surnamed the Great, bishop of Rome. The last of the fathers is Bernard of Clairvaux, who died about the middle of the 12th century. Learned men and theologians differ very much in opinion as to the value that is to be attached to the writings of the fathers. It must be admitted that their writings contain many sublime sentiments, judicious thoughts, and things naturally adapted to form a religious temper and to excite pious and virtuous affections; at the same time, it must be confessed that, on the other hand, they abound still more with precepts of an excessive and unreasonable austerity, with Stoical and Academic dietates, with vague and undetermined notions, and, what is still worse, with decisions absolutely false and in manifest opposition to the character and commands of Christ. Of the character and doctrines of the primitive church they are competent witnesses, and living within a comparatively short period of the apostles, there are many things which they relate regarding apostolic times which had come down to them by tradition, and which are therefore not to be altogether rejected.

FAUN, *farm*, a name given, in Roman Mythology, to a class of deities supposed to inhabit the groves and forests. The fauns are nearly identical with the *panes* of the Greek mythology. These rural deities are supposed to be the descendants of Faunus, one of the kings of Latium, who was worshipped as presiding over fields and herds; and he is thus identified with the Greek Pan and the Egyptian deity Mendes. The ceremony of the Faunalia was one of those celebrated by the country people of Rome, and it took place on the 5th of December.

FATIMITES. (See MOHAMMEDANISM.)

FEALTY, *fe-al'-te* (Fr., *seaulte*; Lat., *fidelitas*), in Law, denoted, under the feudal system, an obligation on the part of the vassal to be faithful to his lord, and to defend him against all his enemies; and by the feudal law, an oath of fealty was required to be taken by all tenants to their landlords, which was couched in almost the same terms as our ancient oath of allegiance, which a subject owed to his sovereign.

FEAR, *fer* (Sax., *færan*), a painful emotion, or uneasiness of mind, excited by the apprehension of impending evil, and accompanied with a desire of avoiding it. It shows itself by paleness of the cheek, sinking of the spirits, trembling of the limbs, hurry and confusion of mind, sometimes producing fainting and even death. Sometimes it rouses nature to exert itself to the utmost to avoid the approaching evil, and often things almost incredible have been performed under its influence.

In Theology.—The fear of God is such an awe and reverence for the Supreme Being as renders a man religiously careful not to offend Him, but to endeavour to please Him in all his actions, and to cultivate such a temper and disposition of soul as are agreeable to the

Divine nature. It evidences itself by a dread of His displeasure; a desire of His favour; regard for His excellencies; submission to His will; gratitude for His benefits; sincerity in His worship; and conscientious obedience to His commands.

FEAST, or FESTIVAL, *fest* (Lat., *festum*), in a religious sense, is a ceremony appointed to commemorate a certain event. Some derive the word from the Latin *feriari*, to keep holiday; others from the Greek *hestiao*, I feast or entertain, from *hestia*, a hearth or fire. Almost every religion, true or false, has had its solemn feast-days. The ancient Greeks and Romans had them, as well as the Jews and modern Christians. God appointed several festivals among the ancient Jews, the first and most ancient of which was the Sabbath, or seventh day of the week, commemorative of the creation. The Passover was instituted in memory of their deliverance out of Egypt, and of the favour of God in sparing their first-born, when those of the Egyptians were slain. The feast of Pentecost was celebrated on the 50th day after the Passover, in memory of the law being given to Moses on Mount Sinai. The feast of tents, or Tabernacles, was instituted in memory of their fathers having dwelt in tents for forty years in the wilderness, and all Israel were obliged to attend the temple and dwell eight days under tents. These were their principal feasts; but they had numerous others; as the feast of Trumpets, the feast of Expiation or Atonement, the feast of the Dedication of the Temples, the new Moons, &c. In the Christian church, no festival appears clearly to have been instituted by Jesus Christ or His apostles, yet Christians have always celebrated the memory of His resurrection, and numerous others were introduced at an early period. At first, they were only appointed to commemorate the more prominent events in the life and death of our Redeemer, and the labours and virtues of the apostles and evangelists; but martyrs came soon after to be introduced, and by the 4th century their number had increased greatly, and the feasts were observed as occasions for merry-making, and licentious indulgence. Indeed, many of the festivals were instituted on a pagan model, and perverted to similar purposes.

Immovable and Movable Feasts.—Immovable feasts are such as are celebrated constantly on the same day of the year, the principal of them being Christmas-day, Circumcision, Epiphany, Candlemas or Purification, Lady-day or the Annunciation, All Saints', All Souls'; besides the days of the several apostles, as St. Thomas, St. Paul. Movable feasts are such as are not confined to the same day of the year. Of these, the principal is Easter, which gives law to all the rest, all of them following and keeping their proper distances from it; as Palm Sunday, Good Friday, Ash-Wednesday, Sexagesima, Ascension day, Pentecost, and Trinity Sunday. (See EASTER.)

FEBRONIANISM, *feh-ron'e-i-an-izm*.—A name given by Roman Catholic ecclesiastical writers to a system of doctrine advocated by Bishop Van Houtheim, of Treves, who, in 1767, under the assumed name of Justinus Febronius, published a work antagonistic to the generally admitted claims of the Pope, and advocating the independence of national churches, and the rights of individual bishops in matters of local dispute.

FEBRUUS, *feh-ru-us*.—The name of a divinity worshipped by the Etruscans and also by the later Romans. The latter held special commemorations in the month of February; and the ceremonies were believed to have the effect of producing fertility in man and beast.

FECIALES, *fe-she-ai'-leez*, priests among the Romans, Etruscans, and other ancient nations of Italy, who acted as heralds of peace and war. Their persons were sacred from injury when engaged on any mission to a hostile state, as the persons of ambassadors, and messengers, under a flag of truce, are inviolate in the present time. Their duties in some few particulars resembled those of the heralds of the Middle Ages. The Roman *feciales* were twenty in number, and formed a kind of college of heralds, instituted by Numa Pompilius, the second king of Rome, about 710 B.C.

FEDERAL GOVERNMENT, *fed'-e-rul* (from Lat., *foedus*, a league), is a government formed by the union of several sovereign states, each state giving up a portion of its power to the central authority, and yet retaining its powers of self government. It differs from a confederacy in this, that each of the states composing the latter is properly independent or supreme, the central authority having no power to enforce any of its measures upon the individual state, that being in the hands of its own government. In some, as in the Swiss cantons, it is little more than a confederation; in others, as in the United States of America, it approaches to a union. "The federal congress of the American union," says Mr. Mill, "is a substantive part of the government of every individual state. Within the limits of its attributions it makes laws which are obeyed by every citizen individually, executes them through its own officers, and enforces them by its own tribunals. This is the only principle which has been found, or which is even likely to produce, an effective federal government." Federations of a kind existed in ancient times, as that of the Ionian states of Greece, the Achaean league, the Aetolian league, &c.

FEDERALISTS, *fed'-e-rul-ists*, was the name of a political party in the United States formed in 1788, and who claimed to be the peculiar friends of the constitution and the federal government. Their most distinguished leaders were Washington, Adams, Hamilton, and Jay, and the leading Federalist states were Massachusetts and Connecticut, supported generally, though not uniformly, by the rest of New England; while Jefferson, Madison, Monroe, Barr, and Gallatin, led the opposition. Their opponents, the Republicans, they called Anti-federalists, and charged them to certain extent with hostility to, or distrust of, the United States constitution and the general government. In the contests of the French Revolution, the Federalists leaned to the side of England, the Republicans to that of France. The opposition of the Federalists to the war of 1812, and, above all, the calling of the Hartford Convention, effected their destruction as a national party, and in 1820 they were completely disbanded. During the fierce struggle between the Northern and Southern States (1861-5), the Northern party, who were in favour of maintaining the Union, were designated as Federalists. The Southern States, who desired to form themselves into an independent confederation, were termed Confederates.

FEE, *fee* (Sax., *feh* or *fach*; Lat., *feudum* or *feodum*). In Law, is the same with feud or fief, and in its original sense is used in opposition to *allodium*, the latter denoting land held by a person in his own right, without owing any rent or service to any superior; whereas *fee* or *feodum*

is applied to that which is held of some superior, on condition of rendering him service. As no subjects can be possessed of allodial property in England, all lands being held either mediately or immediately of the Crown, a fee in general is the highest and most extensive interest that a man can have in a fued. Estates of inheritance are either estates in fee simple or fee tail. An estate in fee simple is the most extensive estate of inheritance that a man can possess in land, and is descendible to his heirs. Estates in fee simple are commonly divided into three kinds:—1, Fee simple absolute; that is, free from any qualification or condition; 2, fee simple qualified, or base, one which has a qualification annexed to it, and which determines whenever the qualification subjoined to it is at an end; "as in the case of a grant to A and his heirs, tenants of the manor of Dale, the grant ceases whenever the heirs of A cease to be tenants of the manor of Dale;" 3, fee simple conditional is a fee restrained in its form to some particular heirs, to the exclusion of others. (For an account of estates in fee tail, *see* **ENTAIL**.)

FEE, in the law of Scotland, denotes a full right of proprietorship in any property, and is distinguished from life-rent, which is merely the right to enjoy it during life. Frequently the two terms occur together, and an estate is said to be granted to a parent in life-rent and his children in fee.

FEES are certain sums of money paid to official persons as perquisites, or as recompense for their labour and trouble, and are fixed by ancient usage or by acts of parliament. The fees paid to officers connected with the administration of justice have been in most cases fixed and regulated by recent acts of parliament. Officers demanding improper fees are guilty of extortion (which *see*). The fees of barristers and physicians are regarded as *honoraria*, and cannot be recovered by legal proceedings. The fact that fees to barristers are paid before they are earned is presumed to remove from them the whole or all pecuniary interest in the issue of suits, and so maintain the independence of the bar.

FELLAHS, or EL FELLAHIN, *fel'-lahs* (Arab., peasant), the name of a people in modern Egypt who live in villages and cultivate the soil. They are the most ancient race in that country, and are generally believed to be descendants of the old Egyptians, mixed with other races, their physiognomy resembling that which is found on the ancient sculptures. They are a patient and laborious population, but are heavily taxed, and subjected to great hardships. They form the great bulk of the population of that country.

FELO DE SE, *fe'-lo-de-se* (Lat., a felon of himself), is one that deliberately puts an end to his own existence, or who commits any unlawful malicious act, the consequence of which is his own death. He must, however, be of the age of discretion (fourteen), and of sound mind, otherwise it is no crime. If one persuades another to kill himself, and he does so, the adviser is guilty of murder; and if two agree to commit suicide together, and one only is killed, the survivor will be guilty of murder, according to law. Formerly, the body of the felon was ignominiously buried in the highway, with a stake driven through the body; but now, by 4 Geo. IV. c. 52, it is privately interred at night in a churchyard, and without the rites of Christian burial. All the chattels, real and personal, of a *felo de se* are

forfeited to the crown, though they are usually restored upon payment of moderate fees. The enactments against this crime, which punish only the innocent relatives, have led junctim in genera to find that the act was committed in a fit of temporary insanity.

FELONY, *fel'-on-ee* (Ang.-Nor.), in its general acceptation, comprises every species of crime which occasioned, at common law, the forfeiture of lands or goods. This most frequently happens in those crimes for which a capital punishment either is, or was, liable to be inflicted. Hence all offences now capital are in some degree or other felony, as well as many other offences which are not punished with death; as suicide, homicide, larceny, &c., all of which are, strictly speaking, felonies, as they subject the committers of them to forfeitures. Various derivations of the word have been suggested: but the most probable is that given by Sir Henry Spelman, from the Teutonic or German *fel*, *fiel* or *feud*, and *lon*, price or value; felony being thus the *pretium feudi*, the consideration for which a man gives up his life. (*See* **FORFEITURE**.)

FEME COVERTE, *fem ko'-vert* (Fr.), in Law, denotes that relationship in which, in consequence of marriage, a wife stands to her husband, being under his protection and influence, and her legal existence being suspended, or at least incorporated and consolidated in that of her husband. Her condition during marriage is thus called her coverture. A married woman cannot sue in the civil courts without her husband's concurrence, and in his name as well as her own; neither can she be sued without her husband being made a defendant. The property of a wife is, by marriage, transferred to her husband; and all deeds and acts done by her during her coverture are void. The landed property of a married woman is, during the marriage, under the administration of her husband, and her personal property is absolutely vested in him. When a wife is deserted by her husband, she may now obtain an order to protect any property that she may acquire by her own industry. The husband is bound to pay his wife's debts contracted previous to marriage, and also to provide her with necessaries during marriage; but he is not chargeable for anything besides necessities. In some felonies, and other inferior crimes, committed by her through constraint of her husband, the law excuses her, except in the case of treason or murder. A married woman cannot be a witness for or against her husband, except when he is tried for violence against her; but in civil cases a woman may be examined in a suit to which her husband is a party. (*See* **DIVORCE** and **MARRIAGE**.)

FEMGERICHTE, FEHMGERICHTE, or **VEHMGERICHTE**, *faim-ger-ik'-ta* (from the old German *fem*, punishment, and *gericht*, court of justice), was the name of certain secret tribunals which existed in Westphalia, known also as the Holy Femo, and possessed immense power and influence in the 14th and 15th centuries. These are said by some to have been originated by Charlemagne, but it is more probable that they were relics of the ancient German courts of justice, which continued to exist in Westphalia after they had ceased in other parts of Germany. The Femgerichte first came into notice after the deposition and outlawry of the emperor Henry the Lion, when all law and

justice seemed to be set at defiance, and anarchy everywhere prevailed. In such circumstances the secret tribunals took upon themselves the protection of the innocent and defenceless, and inspired with salutary terror those whom nothing else would keep in check. These tribunals soon acquired great power, and spread themselves over the whole of Germany, though their principal seat still continued to be Westphalia. The secrecy with which they conducted their operations, and the power they manifested in carrying out their sentences, rendered them the terror of all Germany, and princes and nobles eagerly sought admission into their society. The number of members is said at one time to have amounted to 100,000, and in the 14th and 15th centuries they attained their greatest power. Though originally established for the support of right and justice, there can be little doubt that they afterwards were frequently made use of to carry out party feeling. Any one who had a complaint against his neighbour, which could not be sustained before the ordinary judges, betook himself to the *Femgerichte*. From the secrecy in which they were involved, little is known regarding their internal organization. The members were called the *Wissende*, or the knowing ones; and before being admitted, they must be of blameless life, of the Christian religion, and take a terrible oath "to support the Holy Fem, and to conceal it from wife and child, from father and mother, from sister and brother, from fire and wind, from all that the sun shines upon or the rain wets, from all that is between heaven and earth." From among the *Wissende* the *Freischöffen* (free justices) were elected, who were the assessors of the court and executors of its sentences. The President of the court was called the *Freigraf* (free count). The general superintendence of the whole of the tribunals was in the hands of the lord of the land, who, in Westphalia, was the archbishop of Cologne. The chief superintendence, however, was in the hands of the Emperor, who was usually, on his coronation at Aix-la-Chapelle, admitted a member of the society. The court of a *Freigraf* was called a *Freiding*, and the place where it was held a *Freistuhl*. The members had certain signs and watchwords, by which they were able to recognize each other, and which were concealed from the uninitiated. Their courts were either open or secret; the former were held by day in the open air, the latter by night in a forest, or in concealed and subterranean places. The process of trial, and the circumstances of judgment, were different in the two cases: the former decided in all civil causes, the latter took cognizance of such as had been unable to defend themselves sufficiently before the open courts, as well as such as were accused of heresy, sorcery, rape, theft, robbery, or murder. The accusation was made by one of the *Freischöffen*, who, without further proof, declared upon oath that the accused had been guilty of the crime. The accused was then three times summoned to appear before the secret tribunal, and the citation was secretly affixed to the door of his dwelling, or some neighbouring place, the name of the accuser being concealed. The accused might clear himself by an oath, but the accuser might also oppose it with his oath and the oaths of witnesses. If the accused could now bring forward six witnesses in his favour, the accuser might strengthen his oath with fourteen witnesses; and sentence of acquittal did not neces-

sarily follow until the accused had supported his case with the oaths of twenty-one witnesses. The judges were all armed, and dressed in black gowns, with a cowl that covered their faces like a mask. The condemned, as well as those who did not obey the summons, were then given over to the *Freischöffen*. The first *Freischöffen* who met him was bound to hang him on a tree; and, if he made any resistance, it was lawful to put him to death in any other way; and a knife was left by the corpse, to indicate that it was a punishment inflicted by one of the *Freischöffen*. The punishment, however, was rarely inflicted on those who readily appeared, the judges being satisfied with cautioning the defender to redress the wrong he had been guilty of. At length a great outcry was raised against these courts, and in 1461 various princes and cities of Germany, as well as the Swiss Confederates, united in a league to enable all persons to obtain justice by their means, and to prevent them from seeking it from the secret tribunals. Their influence, however, was not entirely destroyed until the public peace was established in Germany, and an amended form of trial and penal judicature introduced. Goethe, in his "*Goetz von Berlichingen*," has given an account of the workings of these secret tribunals, and so has Scott, in "*Anne of Geierstein*." A remnant of the institution existed in Westphalia until 1811, when it was suppressed by order of king Jerome Bonaparte.

FENIANS, *feen'-c-ans*, a name adopted in 1859 by O'Mahoney, an active Irish agitator, who with Luby, Lahor, Brennan, and Gray, originated a secret society, and formed themselves into a "directory" to award events. The name Fenian is traced to an ancient military organization in Ireland, "*Fionna Kium*," which took its name from the famous national hero Finn (or Fion) MacCumhail. The name took the fancy of the Irish people, and was immediately adopted, and under that designation a conspiracy grew apace, and Fenians became extremely numerous before their existence, as such, was suspected by anybody outside their own circle. The distinctive characteristic of Fenianism from the first, was the avowed intention and desire to resort to physical force whenever possible, and the repudiation of all attempts at peaceful or constitutional procedure. Stephens very soon got to be universally regarded as the supreme chief. He had four vice-presidents (one for each province of Ireland) known as V's, whose business it was to appoint a "centre" for every district. Each centre was sworn that he withdrew all allegiance from the British monarch; would be faithful to the Irish Republic; would keep all the secrets of the Brotherhood, obey all the lawful commands of its officers, and be ready to take up arms at a moment's notice. The form of the oath was, "I promise by the divine law of God to do all in my power to obey the laws of the society and to free and regenerate Ireland from the yoke of England." Each centre was known by the letter A, and each A worked by means of captains, each of whom was known by the letter B. Each individual officer knew only the officer immediately above him and no other except by accident. So completely and cautiously was this carried out, and so general was the willingness to join, and so careful was the selection of individuals, that it is said there was never known an instance when a B or an A betrayed his trust. As the organiza-

tion increased, the letters C and D were introduced, and F for friend, and by means of the skilful use of these letters, seals instead of signatures and other devices of Stephens, correspondence was wholly or nearly unintelligible except to those to whom it was addressed. The hope held out to all was the eventual establishment of an Irish republic, in which all religions were to be tolerated, but none allowed supremacy, it being stipulated that the priest was in all cases to be restricted to the exercise of his ecclesiastical duties. Stephen's avowed intentions were to secularize education, to deprive religious bodies of all property, to educate the clergy by the State, and to make them State officers in State pay. The Fenians soon made themselves notorious by daring outbreaks. In 1866, a raid into Canada was attempted; in the following year a conspiracy to seize Chester Castle was discovered, and there were attempts at insurrection in the counties of Dublin, Louth, Tipperary, Limerick, and Cork. Some of the leaders were tried and convicted by a special Commission. In September, 1867, an attack was made at Manchester on a police van, in which were some prisoners suspected of Fenianism, who were released, the police sergeant in charge being killed; and a few weeks afterwards an attempt, attended with very disastrous consequences, was made to blow up Clerkenwell House of Detention for the purpose of obtaining the release of a prisoner.

FERÆ NATURÆ, *fe-re na-tu-re* (Lat., of a wild nature), a term applied in Law to wild animals, or such as retain their natural disposition of freedom, as distinguished from such as are tame or domestic. The law holds that a man can have no absolute property in animals *feræ naturæ*. There may be, however, a qualified property in these animals, either *per industriam*, *propter impotentiam*, or *propter privilegium*. *Per industriam*, by a man's reclaiming and making them tame by art, industry, and education, or by so confining them within his own immediate power that they cannot escape and use their natural liberty. These are a man's property only so long as they remain in his keeping; and if they should regain their natural liberty, his property ceases, unless they have *animus revertendi*, or are in the habit of returning. *Propter impotentiam* arises from the inability of the animals; as where such animals burrow or nestle on my land and have young there, I have a qualified property in these young ones till they can run or fly away. *Propter privilegium*; as where a man has the privilege of hunting, taking, and killing them, to the exclusion of others, as in the case of game. (See GAME LAWS.)

FERIÆ, *fe-re-æ*.—The name given in ancient Rome to holidays during which political and legal transactions were suspended, and slaves rested from labour. They included public holidays, and days observed by particular families as commemorative of some special event.

FERRY, *fer-re* (Lat., *ferre*, to carry), in Law, is a right, arising from royal grant or prescription, to carry men and horses across a river or arm of the sea for a reasonable toll. The owner of a ferry is bound to keep a boat always in repair and readiness for the use of her Majesty's subjects, for neglect of which he is liable to be indicted. If a ferry be erected so near to an ancient ferry as to draw away its custom, it is a nuisance to

the owner of the old one, for which the law will give him remedy. No public ferry can be established without a license from the crown. Bridges have taken the place of ferries to a great extent, and they are only found in the present day over streams running through distant districts, or in places where the traffic is not sufficient to warrant the outlay which would be incurred in erecting a bridge. They are also found at the mouths of tidal rivers, where a bridge would interfere with the passage of vessels, or its construction would be attended with considerable engineering difficulties.

FESTIVALS. (See FEASTS.)

FETICHISM, *fel-ish-izm*, is the worshipping of a fetich. The word fetich is said to be derived from the Portuguese word *feticão*, bewitched or possessed by fairies, and was applied by the early Portuguese travellers to the objects worshipped by the negroes of Africa. Hence the term has come to be generally received, and is applied to the ascription of magical power to inanimate objects, as stones, carved images, &c.

FEU, *few*.—In Law, a right to the use and enjoyment of lands, houses, or other heritable subjects, in consideration of an annual payment, known as *feu-duty*, and some other contingent charges—practically a perpetual lease. The word is also sometimes employed to express any kind of tenure by which the relation of superior and vassal were constituted.

FEUDAL SYSTEM, *fu-dal sis-tem*, is that constitutional system which was introduced into Europe by the northern nations after the fall of the Roman power, and which has left important traces of its existence in most European countries. The term *feud* is of very doubtful derivation, but most probably it is formed from the Teutonic *fee* or *feh*, wages or pay for service, and *odh* or *od*, property or possession; a feud then being the property or possession given as wages for service. In order to secure their newly-acquired possessions, and at the same time to reward their deserving followers, the conquering generals were wont to allot large districts, or parcels of land, to the superior officers of the army, and these were by them dealt out again in smaller allotments, or parcels, to the inferior officers and soldiers. The condition annexed to these holdings was that the possessor should do service faithfully, both at home and in the wars, to him by whom they were given; for which purpose he took the oath of fealty (*juramentum fidelitatis*), and in case of the breach of this condition and oath, by not performing the stipulated service, or by deserting the lord in battle, the lands were again to revert to him who granted them. The ownership of the land, therefore, properly remained in the hands of the superior, and probably at first was resumable by him at pleasure, or at least on the death of the holder; but, in most countries, lands soon came to assume an hereditary character, the rights of the superior on the death of a vassal being confined to the exaction of certain dues from his son and successor, as a consideration for conforming to him the feud which his father had held. Where the land descended to a female, the superior was entitled to control her marriage for the purpose of procuring a trustworthy vassal, a privi-

lege which, like the other, was afterwards converted into a pecuniary payment. According to this system, every receiver of land, or feudatory, was bound, when called upon, to serve his immediate lord or superior, and to do all in his power to defend him. Such lord or superior was likewise subordinate to, and under the command of, a higher superior or lord; and so on upwards to the prince or general himself. The several lords were also reciprocally bound in their respective gradations to protect the possessions they had given. Thus the connection between lord and vassal was made to wear all the appearance of a mutual interchange of benefits—of bounty and protection on the one hand, and of gratitude and service on the other. In this way the feudal connection was established, and an army was always at command, ready to fight in defence of the whole, or of any part, of the newly acquired country. The wisdom of these measures became evident to the other princes of Europe, and many of them who were independent adopted this system as a means of strengthening their power, parceling out their royal territories, or persuading their subjects to surrender up and retake their own landed property under the like feudal obligations of military fealty. Thus the feudal constitution, or doctrine of tenure, extended itself over all the Western world; and the feudal laws drove out the Roman, which had hitherto universally prevailed. This system was adopted in most countries of Europe from the 9th to the end of the 13th century; but it differed in various particulars in the different countries. Though there can be no doubt that feudal principles prevailed to a considerable extent in the polity of the Saxons in England, yet it was only when that country was conquered by the Normans that it was regularly established. In some respects, however, the system of feudalism established in England differed from that of France, from which it was taken. One of these was that the king was the universal lord and original proprietor of all the lands in his kingdom, and that no man could possess, or hold, any part of it, but what was mediately or immediately derived from him, to be held mediately or immediately of him upon feudal service. Hence the Conqueror introduced the practice of compelling those holding mediately as well as immediately of himself to swear fealty to him; and thus the inferior vassals were under two oaths—the one of fealty to the king, the other of fealty to their immediate superior. It has been remarked, however, that when the two interests came into collision, the vassal rarely failed to obey his lord rather than his king. The wardship, or guardianship, of the tenant during minority, which implied both the custody of his person and the appropriation of the profits of his estate, was another feature of English feudalism which did not exist in the French. In England, the whole country was divided into about 60,000 knights' fees, the tenant of each of which appears to have been obliged to keep the field at his own expense for forty days, whenever his lord chose to call upon him. For smaller portions of land, smaller periods of services were due. Every great tenant exercised a jurisdiction, civil and criminal, over his immediate tenants, and held courts, and administered the laws within his lordship, like a sovereign prince. The existence of manor-courts and other small jurisdictions within the kingdom is one of the features of the feudal system. The

land escheated to the lord when the tenant left no heir, and it was forfeited to him when he was found guilty either of a breach of his oath of fealty or felony. There were also fines payable to the lord on certain occasions, as well as aids, reliefs, &c. The vassal had also to attend the lord's courts, sometimes to witness, and sometimes to take part in, the administration of justice; in battle, he was bound to lend his horse to his lord if dismounted, to keep to his side while fighting, and go into captivity as a hostage for him when taken. It was a breach of faith to divulge his (the lord's) counsel, to conceal from him the machinations of others, to injure his person or fortune, or to violate the sanctity of his roof.

FEUILLANS, *fu-e'-yans*, a reformed branch of the Cistercian order of monks. It was founded by Jean de la Barrière, abbot of the Cistercian monastery of Feuillans, near Toulouse, in 1577, who, being opposed to the great laxity of discipline that then prevailed, introduced a much more astute mode of life. He soon found many followers, and they were declared independent by Sixtus V. in 1686. They were afterwards divided, in 1630, into two congregations by Pope Urban VIII., who separated the French from the Italians, and gave them two generals. They practised great austerities, going barefoot, and living on herbs. The cloister of this order at Paris gave name to the celebrated political club which, during the French Revolution of 1789, held its meetings there. It was founded in 1790, by Lafayette, Siéyès, Larochefoucauld, and others, and was intended to support the constitution against the ultra party. When Count Clermont Tonnerre was elected president of this club, a popular insurrection broke out against it; and on the 28th of March, 1791, the Assembly in the cloister was dispersed by the mob.

FIARS *fé-ars*, in Scotland, are the annual average prices of grain, determined in each county by the sheriff, proceeding on the report of a jury, so as to regulate crown duties, ministers' stipends, and the rents of agricultural subjects, where these are made to depend upon the price of grain. The derivation of the word is uncertain, and, according to Dr. Jamieson, it is of Gothic origin.

FIAT, *fí-at* (Lat., let it be done).—A decree, a short order or warrant of some judge for making out and allowing certain processes.

FICHTE, *fil'-at* (Lat., let it be done).—A decree. (See IDEALISM.)

FICTION OF LAW (Lat., *factio juris*), is a supposition of law that a thing is true, without inquiring whether it be so or not, that it may have the effect of truth so far as is consistent with equity. They are common in the Roman law, and are not unknown in that of England. The fictions of the Roman law apparently had their origin in the edictal power, and they were devised for the purpose of providing for cases where there were no legal provisions. Fictions are resorted to in order to avoid a special hardship or to remove some difficulty not provided for by the law. Their existence supposes a defect, which it is the business of legislation to remedy; and of late years many of them have been removed from our laws; as in the proceedings in ejectment (which see). Fictions must be framed according

to the rules of law, and not what is merely imaginable; and there ought to be equity and possibility in every legal fiction. An instance of legal fiction is afforded when a father brings an action against a man for seducing his daughter. The law then supposes fictitiously that the girl is her father's servant, and that he has sustained pecuniary loss by her seduction. This maxim is invariably observed, that no fiction shall extend to work an injury; its proper operation being to prevent a mischief, or remedy an inconvenience that might result from the general rule of law.

FIDEI COMMISSUM, *fi-de-i kom-mis-sum* (Lat., committed to the trust), in the Roman law, denotes something given (usually by will) to one, in confidence that he will convey it or dispose of it for the good of another. The obligation was not created by words legally binding, but by words of request, and hence, originally, there was no legal means of enforcing its fulfilment, till the time of Augustus, when a praetor was appointed whose sole business it was to see to the *fidei commissum*. The person intrusted with the property was called *fiduciarius*, and the person to whom it was intended to be conveyed, *fidei commissarius*. In some parts of the Continent, as Germany and Holland, the *fidei commissum* form an important feature in the conveyance of heritable property, resembling our laws of entail (which see)—a person receiving the use of certain lands during his life, upon condition of transmitting them unimpaired, in a certain line, after his death.

FIEF. (See FEUDAL SYSTEM).

FIELD ALLOWANCE, a daily amount of additional pay given to officers in the British army in consideration of the extra expenses entailed on them by reason of their service in the field. There are two different sorts of field allowances—ordinary and extraordinary. Extraordinary allowance is only allowed when troops are really in the field of action in actual warfare; and no officer receives this unless present with the army in the field.

FIELD-MARSHAL, *feld-mar'-shal* (Ger., *feld marschall*), the highest military rank that can be bestowed in the British army, and which is occasionally conferred on general officers for distinguished services in the field, and on princes of the blood royal in virtue of their position and connection with the Sovereign. It is rather a title of honour in the British service than one which implies any particular duty to be discharged by the holder, like those of commander-in-chief, general of division, general of brigade, &c. The title, in its present form, is copied from that of *feld-marschall* in the German services, which was derived from the French term *mareschal de camp*, given to officers who performed, in former times, duties that were similar to some of those now discharged by the heads of the commissariat department and military train. The rank itself is of old standing. The supreme command of the English army was originally intrusted to a nobleman styled the lord-marshal or earl-marshal of England; but when this office was made an hereditary appendage to the dukedom of Norfolk, it had ceased to convey military rank, and marshals of the army were appointed when occasion required. There are at present (1882) only three officers of this rank in the British army: the Duke of Cambridge, the Prince of Wales, and Lord Stratthairn.

Field Officers are such as are competent to command battalions, as majors, colonels, and lieutenant-colonels; and the term is applied in contrast to those who can only take company duties, such as captains and lieutenants.

FIERDING COURTS, *fee'-ding* (Ger., *vier*, four), certain petty courts established among early Gothic nations for the purpose of rendering speedy justice in small matters. They were so called because there were four of them established in each superior district or hundred.

FIERI FACIAS, *fi-ri fai-she'-as* (Lat., that you cause to be made; usually contracted *fi fa*), in Law, is a judicial writ of execution that lies where judgment is had for debt or damages recovered in the Queen's courts. It is a command to the sheriff to levy the debt or damages on the goods and chattels of the defendants, and takes its name from the words of the writ, *quod fieri facias de bonis et catallis*. This writ is to be sued out within a year and a day after judgment, or the judgment must be revived by a *scire facias*. This writ lies as well against privileged persons, peers, &c., as other common persons; and against executors and administrators with regard to the goods of a deceased person. The sheriff may sell the goods and chattels of the party against whom the writ is issued, including even his estate for years or his growing crops, until he has raised enough to satisfy the judgment. The sheriff, however, cannot lawfully sell off goods lying upon any premises demised to a tenant, unless the landlord be first paid his rent due before the execution, to the extent of one year's arrears, neither can he carry off, or sell for the purpose of being carried off, any straw, hay, manure, or the like, from any lands let to farm, in any case where, by the covenants or agreements in the lease, the carrying off of the same is prohibited between landlord and tenant. By 14 and 15 Vic., growing crops seized and sold in execution by the sheriff are, nevertheless, liable for rent becoming due after such seizure and sale, so long as they remain on the lands. By 1 and 2 Vic. c. 110, money, bank-notes, bills of exchange, and other securities, may be taken under a writ of *fi fa*. Under 8 and 9 Vic., c. 127, all personal goods and chattels can be taken, excepting wearing apparel to the value of £5. If the sheriff seize the goods of a stranger, he will be liable in damages. A *fi fa* may be issued in Chancery suits for the purpose of obtaining satisfaction of any pecuniary demand, under a decree or order from the court. A *fi fieri facias de bonis ecclesiasticis* is a writ issued when the defendant is a beneficed clerk having a lay fee, and addressed to the bishop of the diocese, requiring him to attach the ecclesiastical goods and chattels of the defendant in satisfaction of the claim.

FIERY CROSS. (See CRANSTON).

FI FA. (See FIERI FACIAS.)

FIFTEENTH, *fit-teenth'* (Sax., *flifmtha*), was the name of a tribute, or imposition of money, anciently laid upon cities, boroughs, &c., throughout the realm. It was so called because it amounted to a fifteenth part of that which each city or town was valued at, or a fifteenth part of every man's personal estate, according to a reasonable valuation. This sum was first reduced to a certainty in the reign of Edward III., and long after, when the value of money had much changed, the amount to be paid by each

town or parish as its fifteenth remained as then fixed.

FIFTH-MONARCHY MEN, *fifth*. the name of a sect of religious fanatics who appeared in England during the Protectorate of Oliver Cromwell, and whose distinguishing tenet was a belief in the speedy advent of a fifth monarchy (succeeding the four mentioned by Daniel—the Assyrian, Persian, Grecian, and Roman), of which Christ was to be head: and they proceeded so far as formally to elect him King at London. In politics they were Republicans of an extreme kind, and shortly before the death of Cromwell, the leaders engaged in a conspiracy to murder him, for which they suffered imprisonment. After the Restoration, they attempted an insurrection in 1661, but were suppressed, and Venner, their leader, executed.

FINANCE, *fe-nans* (Fr.), in Political Economy, is employed to denote the revenues of a king or state. (See TAXATION, REVENUE, &c.)

FINDER OF GOODS, *find'er* (Sax., *findan*, to find).—The law on this subject is, that the finder of goods is to use all due means to discover the rightful owner; and if he keep and appropriate the articles to his own use, knowing the rightful owner, or without having made due exertion to find him out, he is held guilty of larceny. Failing the rightful owner, the goods become the property of him who finds them.

FINE, *fine*, in Law, is a pecuniary mulct or punishment imposed by a competent jurisdiction, and was so called because it was said *finem facere de transgressionem*—to make an end of the transgression.

FINE OF LANDS.—In the old law of England, fictitious proceedings, in order to transfer or secure real property by a mode more efficacious than an ordinary conveyance, defined by Coke as an amicable composition and final agreement by leave and licence of the king or his justices. The law was abolished by the Fines and Recoveries Act, 3 and 4 William IV. c. 74.

FIRE (Sax., *fyrr*).—At a period when cause and effect, form and essence, were not distinctly separated, fire became an object of religious veneration (see FIRE-WORSHIP). A distinguished element in mythology, an expressive symbol in poetry, and an important agent in the systems of cosmogony. It gained a place among the elements, and for a long time was believed to be a constituent part in the composition of all bodies, and to require only the concurrence of favourable circumstances to develop its activity. At a later period, fire, under the name of *phlogiston*, was considered to be the source of all chemical action. At the present day, the phenomena which were formerly ascribed to fire are attributed to the effects of heat. (See COMBUSTION, HEAT.)

Fire, Sacred and Symbolic.—By the Mosiac law the fire on the altar was considered sacred and was to be kept ever burning; and no common fire was to be used for a burnt offering, or for burning incense. Sacred fire was kindled from heaven on the dedication of the temple. Instances are recorded where God vouchsafed supernatural fire at the offerings of individuals; and the narrative of the descent of fire to burn up Elijah's offering on the occasion of his contest with the priests of Baal is very familiar. In the Bible the fire is used symbolically to represent the characteristics of the Divine nature. God is spoken of as "a consuming fire," a "devouring fire;" and fire is also the emblem of a healing or purifying process effected in the spiritual nature of persons in covenant with God. On

the Saturday of the Greek Easter week, the Greek and Armenian monks at Jerusalem profess to kindle "holy fire," at the Church of the Holy Sepulchre. A procession of ecclesiastics with banners and cross-marches thrice round the church, and the fire appears in the sepulchre. A scene of great tumult, not unfrequently resulting in broken limbs or even loss of life, follows, the crowd endeavouring to light candles at the holy fire, believing that if they succeed, their entrance into heaven is assured. In the Romish Church, the ceremony of blessing fire is observed at Easter. The fire is kindled by sparks struck from a stone, in remembrance of Christ as the great corner stone. All the lights on the altar having been previously extinguished, in order that they may be rekindled from the new fire. Imposing ceremonies accompany the relighting, and the mourning decorations, which on Good Friday symbolize the death of Christ, are removed, and brighter colours and the lighted candles betoken rejoicing over His resurrection.

In Heraldry, a flame of fire, a fire-ball, or other representation of fire on armorial bearings, indicates that the person to whom they were granted "performed brave action with an ardent courage, their thoughts always aspiring as the fire tends upwards."

FIRE AND SWORD, LETTERS OF, in the early law of Scotland, were letters granted by the Scotch privy council against any one who refused to obey the decrees of a court, and were principally employed to dislodge refractory tenants who refused to give up possession as required by order of the judge. These letters authorized the sheriff to call for the assistance of the county, and dispossess him by all methods of force. The practice now is, where one opposes by violence the execution of a decree or any lawful diligence, which the civil magistrate is not able by himself or his officers to make good, to make application to the military for assistance, who enforce the execution *manu militari*.

FIREBOTE, *fire-bote* (Anglo-Saxon).—The right of a tenant to cut wood on the estate for the purpose of fuel. (See ESTOVERS.)

FIRE-BRIGADE, an institution of men and fire-engines, fire-escapes, and other apparatus, under the command of a superintendent, for the purpose of being in a constant state of readiness to preserve property and life from destruction by fire. Until the year 1825, all the fire insurance companies of London had distinct and separate establishments of fire-engines, &c.; but in that year the Union, the Sun, the Royal Exchange, the Atlas, and the Phoenix companies joined their establishments of fire-engines together, and formed one association or "fire-brigade." This association lasted until the year 1832, when it was determined to incorporate all the detached forces of engines belonging to the remaining fire offices which had not joined the association; and this complete band of engines and men was placed under the command of a superintendent, each company paying so much towards the support of the whole. Mr Braidwood, at that time the director of the fire-engines of Edinburgh, was invited to take the command of this new force, and he accepted the appointment. Up to that time, therefore, the strength of the protectives from fire consisted of about 300 parish or parochial engines, kept up by the various parishes under acts which passed in the years 1768-74. Secondly, there were a large number of private engines kept by merchants, firms, and large manufactories; and, thirdly, there was the comparatively small, but well-organized force of the London Fire-brigade. The force of this latter consisted of between 30 and 40 large engines capable of throwing 88 gallons a minute to a height of from

50 to 70 feet, and a number of smaller engines drawn by hand, and comparatively useless in any large fire. In the year 1861, the terrible fire at the cotton and depot wharves, Tooty Street, broke out, which extended to several other wharves and warehouses, and continued burning for fifteen days. Mr. Braidwood, the intrepid superintendent of the London Fire-brigade establishment, lost his life by the falling of some of the buildings. The Fire-brigade Bill of 1866 empowered the associated insurance offices to turn over their establishment to the Metropolitan Board of Works. The new system was to be maintained by a contribution of £10,000 per annum from the Government, a tax on the rate-payers of the metropolis, and a contribution from the insurance offices. It was also established under this act that the force of firemen should be under the command of an officer, to be called the chief officer of the metropolitan Fire-brigade. Captain Shaw, formerly entrusted with similar duties at Belfast, was appointed to that position. The whole of London is divided into four large districts, distinguished by the letters A, B, C, and D. The A district includes engine-establishments in Westminster, Brompton, Fulham, Kensington, Hammersmith, Bayswater, Notting Hill, Paddington, St. John's Wood, Hampstead, Baker Street, Regent Street, and Highgate. In the B district fire-brigade establishments are formed in Farringdon Road, Islington, St. Luke's, Watling Street, Chandos Street, Bloomsbury, and St. Pancras. The third, or C district, has fire-brigade establishments in Wellclose Square, Bethnal Green, Hackney, South Hackney, Stoke Newington, Mile End, Bow, Ratcliff, Bishopsgate, Shoreditch, De Beauvoir Town, and Whitechapel. In the fourth, or D district, fire-brigade posts are to be found in Kensington, Southwark, Tooty Street, Rotherhithe, Old Kent Road, Woolwich, Greenwich, Lewisham, Camberwell, Sydenham, Brixton, Clapham, Tooting, Wandsworth, and Waterloo. Until the year 1866, the duty of the Fire-brigade was to save property and not life, although, of course, they exerted themselves in the latter particular as well as in the former. The duty of saving life from fire was, up to that period, intrusted to the Royal Society for the Protection of Life from Fire, which was established, like the London Fire-brigade, in the year 1833. This society attended to the proper appointment of fire-escapes, ladders, &c., being placed in the various districts and parishes, and it kept up a sufficient body of men for their attendance. The Metropolitan Board of Works obtained permission from Parliament in 1866 for power to take over the whole plant of the Royal Society for Protection of Life from Fire. In the same year also a salvage corps, also under the direction of the Metropolitan Board of Works, was formed. There are about 60 engine stations on land, and 4 floating stations on the river. The brigade consists of more than 400 active and highly-trained men, nearly all selected from the Royal or mercantile marine. There are about 30 land and 3 floating steam fire-engines, 3 manual, or hand-worked, and nearly 150 fire-escapes and long scaling ladders. The various stations are connected by telegraphic wires, and a continual look-out is kept at each station. In several of the suburban districts volunteer fire-brigades have been formed, supported by subscriptions. Most of the larger provincial towns have fire-brigades, modelled on the larger establishment in the metropolis.

FIRE, ORDEAL BY. (See ORDEAL.)

FIRE-RAISING. (See ARSON.)

FIRE-WORSHIP.—It is generally believed that the worship of fire originated with the Chaldeans; and there is a Jewish tradition that Torah and Abraham were expelled from Zur because they refused to join in the prevalent worship. (See GUERRERES, PARSEES, and ZORVASTRIAN RELIGION.)

FIRMAN, FERMAN, or FIRMAUN, *fir-man* (Pers., an order), is a word employed in Turkey to designate any decree issued by the Porte and authenticated by the sultan's own cipher or *sizet*. Each of the ministers and members of the divan has the right of signing firmans relative to the business of his own department, but only the grand vizier is authorized to place at their head the cipher containing the interlaced letters of the sultan's name, which alone gives them force. A decree signed by the sultan's own hand is called *katti sherif*. The same firman is also applied to a passport issued either by the Porte or a pasha, enjoining the subordinate authorities to grant protection and assistance to the traveller in whose favour it is granted. In India, a written permission to trade is called a *firmam*.

FIRST-BORN.—By the Mosaic law, the first-born male, whether of man or animal, was considered to be devoted to God. In the case of first-born male children, the law required that they should be redeemed, within one month after birth, by an offering not exceeding in value five shekels of silver. The first-born of clean animals were to be delivered to the priests for sacrifice. (See PRIMOGENITURE.)

FIRST-FRUITS (Lat., *primitiæ*), the Jews and other ancient peoples offered a portion of the first-fruits of the earth to the Divine Being as an acknowledgment and thanksgiving. In the English Church, first-fruits were the profits of every spiritual living for one year; claimed by the pope from all clerics appointed to benefices. In England, this claim was first asserted in the reign of King John, and then only with regard to such clerics as the pope himself appointed to benefices; but subsequently they were demanded and taken by him from all clerics, by whomsoever appointed. By 26 Henry VIII. c. 3, the payment of first-fruits was transferred from the pope to the king, and their value fixed, as it is called, "in the king's books." Finally, Queen Anne gave up this branch of the royal revenue to the Church to form a perpetual fund for the augmentation of small livings. This is usually called Queen Anne's Bounty.

FISC, or FISCUS, *fisk, fiskus* (Lat.), the name given among the Romans to the private treasury of the sovereign, in opposition to the *æarium*, or public treasury; but afterwards, when the sovereign power became absolute, the two terms came to be synonymous, and *fiscus* was applied generally to the property of the state. In Modern Law, on the continent of Europe, *fiscus* is applied to the public treasury, which is entitled to all fines, forfeited goods, goods without an owner, &c.; whence our term *confiscation*.

FISCAL, *fiskal*, pertaining to the public treasury or revenue. (See FISCUS.)

FISHERIES, a term applied to various

stations and localities around our own coasts and those of other nations, where the different shoals of fish used by man for food are to be found at certain seasons of the year; and where the business of catching or entrapping the selfsame fish is carried on by fishermen, an exclusive class devoted to the occupation. Fisheries or fishing-grounds have been often the subject of disputes and embroilments between different governments, and sometimes even treaties have been effected in their especial right; to instance which, it may be mentioned that a convention was signed at Paris on the 2nd of August, 1839, between France and England, to fix the limits of the oyster and other fisheries which approximated the coasts of the two nations. The limits within which the general right of fishing is exclusively reserved to the subjects of the two countries are fixed at three miles distance from low water mark. In 1854, a similar treaty was concluded between Great Britain and the United States relating to the right of fishery between the British colonies and North America and the United States. Fisheries are of the greatest importance to nations, and especially to England, whose extent is insular, and bounded on every side by the sea; because fish forms one of the articles of principal consumption as food, and is also an article of exchangeable nature with other nations in the paths of commerce. The principal kinds of fish which have separate fisheries are whales, cod, ling, hake, herrings, lobsters, mackerel, oysters, pilchards, salmon, anchovies, sardines, sturgeons, and tunny. The British fisheries are carried on in various parts of our dominions. Whales are principally caught along the shores of Greenland, in Davis' Straits, and the South Seas, as well as near the southern portions of Australia and the Cape of Good Hope. With regard to those fisheries which are carried on more closely to our own shores, that of the *herring*, on the coasts of Scotland, in the Irish Sea, and along the British Channel, must be especially noticed. The herring is fished for by *drift-nets*, which are composed of several lengths, and by *trawl nets*; the latter, however, are the most useful. The Irish herring fisheries are not so productive as the Scotch, but they are yearly stimulated by public grants of money for their furtherance; and the same may be said of all other species of fisheries in Ireland: this is owing not so much to their unprofitableness as to lack of industry in their prosecution. The *pilchard fishery* is carried on along the coast of Cornwall and Devon, and is of great importance in the trade. The pilchard is caught in the months of August, September, November, and December, and is salted and packed for exportation, to the Mediterranean and other foreign markets. The salmon fishery is carried on chiefly on the rivers and estuaries of Scotland and Ireland. Aberdeen in Scotland, and Cork in Ireland, are the chief salmon stations, from whence the fish is sent to various parts of the kingdom. (For a description of the salmon, see article under that heading.) The *cod, ling, and hake* fisheries are carried on along Scotland and Ireland, and about the banks of Newfoundland. These fisheries themselves may be said to date their origin from the discovery of the Portuguese, in the year 1500, and they are the sole support of the dwellers in that unproductive land. The mackerel and other minor fisheries are carried on along our own coasts, and do not need separate mention. The *shell-fish* which are so much consumed

by us are found in the Channel Islands and about the English Channel. (For whale-fishery, see WHALE.)

FISHERMAN'S RING.—A ring belonging to the Pope, and used as his signet for the signing of briefs and bulls. On the death of a Pope, it is broken, and a new one is presented to his successor. On one side it bears the name of the reigning pope; on the other his arms, superseiding the figures of St. Peter and St. Paul, borne previously to the 16th century.

FIVE-MILE ACT.—An Act (17 Chas. II., c. 2) passed in 1665, which forbade Nonconformist preachers, who refused to subscribe to the oath of non-resistance, to come within five miles of any corporation (unless they were travelling), under a penalty of £40. This Act was repealed in 1689.

FIVE POINTS, THE, are the five principal points of controversy between the Calvinists and Arminians. (See CALVINISM.)

FIXTURES, *fixt-tures*, in Law, are things annexed to houses or lands, which become, immediately on annexation, part of the reality itself, and are governed by the same laws as apply to heritable property. The question as to what are or are not fixtures is of some importance, as determining the rights of landlord and tenant, heir and executor, &c. Fixtures in general are personal chattels let into the earth, or cemented or otherwise fixed to some erection previously attached to the ground, and are thus legally immovable. If they be entirely clear of the soil, they are not fixtures, and may be carried off at pleasure. The general rule is, that whenever a tenant has affixed anything to the premises during his term, he cannot again sever it without the landlord's consent. To this rule, however, various exceptions have been made in favour of what are termed trade fixtures. A tenant may safely remove such things as he has fixed to the freehold for purposes of trade or manufacture, provided the removal cause no material injury to the estate. As regards agricultural fixtures, it is provided by 14 and 15 Vic. c. 25, that if any tenant of a farm or lands shall, with the consent in writing of the landlord for the time being, at his own cost erect any farm-buildings, either detached or otherwise, or put up any other building, engine, or machinery, either for agricultural purposes or for the purposes of trade and agriculture (which shall not have been put up in pursuance of some obligation in that behalf), then all such building, engines, and machinery shall be the property of the tenant, and shall be removable by him, notwithstanding that the same, or any part thereof, may be built in, or permanently fixed to the soil; so as the tenant, in making such removal, do not in any wise injure the land or buildings belonging to the landlord, or otherwise do put the same in like condition as they were in before the erection of anything so removed. But the tenant, before making any such removal, must give the landlord or his agent one month's previous notice in writing of his intention to do so; and if the landlord or his agent elect to purchase the things proposed to be removed, then the tenant's right to remove the same shall cease, and the value of the things shall be ascertained by two referees, one to be chosen by each party, or by an umpire to be named by such referees, and shall be paid or allowed in account by the landlord who shall have so elected to purchase. Another exception to the general rule is in favour of such fixtures as are

put up for ornament or domestic use, as hangings, stoves, &c.; but not such as have become part of the tenement, and constitute permanent improvements. For instance, a tenant must not remove a conservatory, fixed to and communicating with rooms in a dwelling-house by windows and doors. A nurseryman may remove trees or shrubs planted expressly for purposes of sale, but not hot-houses or green-houses; and private persons may not remove fruit trees although planted by themselves.

FLAG, *flag* (Sax., *steofa*, to wave in the air), the name given to pieces of cloth, or bunting, of various colours, and often bearing various devices, that are hoisted in conspicuous places on poles or at the mast-head of vessels, and allowed to float on the breeze for different purposes. (See ENSIGN.) The primary object of a flag is to denote nationality, and it is more especially used for this purpose at sea, to allow commanders of vessels to show others to what country their ship belongs. The use of flags is probably of very early date, families and tribes, as well as nations, being distinguished, in the early ages of the world, by emblems embroidered on a small square banner. In mediæval times, we find that the practice was still continued. The Saracens, in the 7th century, had adopted a green standard, which, with the addition of a crescent, is still the national flag of Turkey; and about the same period, the horse of the Saxon perpetuated in the armorial bearings of Hanover, are the black raven of the Danes, were well-known emblems that floated over many a battle-field on English soil. Of the flags peculiar to Great Britain, the principal is the Royal standard, consisting of the armorial bearings of England, Scotland, and Ireland combined, which is hoisted wherever her Majesty happens to be residing or on vessels when the queen or any of the royal family is on board. The Admiralty flag consists of a gold anchor borne on a red field; and the national flag, known as the Union Jack, consists of the red cross of St. George, and the red and white saltires of St. Patrick and St. Andrew combined, on a blue field. The ship in which the admiral of the fleet happens to be always carries the union jack. When this flag is hoisted by a merchant ship, it is distinguished by having a white border round it, and is then called a merchant jack. Flags of various shapes and colours are used as signals for communication in the Royal navy and British merchant service. Different significations are also attached to plain flags of one simple colour; thus, a yellow flag indicates that there is sickness of a dangerous character on board the vessel which bears it, or that the ship is performing quarantine; a white flag is well known among all nations as a flag of truce, and betokens a desire for a temporary cessation of hostilities, for the purpose of communication between hostile parties, or for burying the dead slain in battle; a black flag, on the other hand, is the emblem of piracy, or betokens a determination, on the part of those who hoist it, to resist to the last, and to give or take no quarter. When a flag is hoisted half-mast high, it is a mark of mourning; when it is hoisted upside down, it forms a signal of distress. A blue flag, with a square white centre, called the Blue-Peter, is hoisted when a vessel is about sail, and is the signal of departure. A short triangular flag is called a burgee; a longer flag of the same shape, a signal pendant; a square

flag, with a triangular piece cut out of the end farthest from the halyards, with the point turned towards the centre, a cornet; and a very long narrow flag, resembling a strip of ribbon tapering to a point, which is borne at the mast-head, is called a pendant.

Flag-Officers.—A class of officers in the navy above the rank of captain, who have commands of fleets. Flag officers are divided into three ranks. The admiral wears his flag at the main; the vice-admiral at the fore; and the rear-admiral at the mizzen. In each case the flag bears a red cross on a white ground. A commodore is occasionally a flag officer, and he is distinguished by wearing a broad pennant.

Flag-Ship, the nautical term applied to the line-of-battle ship, frigate, or other vessel, which carries the flag officers in command.

Flag of the Prophet.—The sacred banner of the Mahomedans, bears the name of *Sanjak-Sherif*. Originally, a white flag, made of the turban of the Koreish captured by the prophet, was used; but gave place to a black flag, consisting of the curtain that hung before the tent of Ayesha, one of the wives of Mahomet. It was brought into Europe by Amurath III. in the 16th century and is preserved in a costly chest in the Seraglio at Constantinople and carefully guarded. This is not the flag exhibited when a holy war is proclaimed, although the people believe it to be so.

FLAGELLANTS, *flag-cl-lints* (Lat., *flagellare*, to beat), the name of a sect of religious fanatics that sprang up in Italy about the year 1260. They were so called from the flagellations or whippings which they administered to themselves, the leading doctrine of their creed being that by mortifying the flesh in every conceivable manner they propitiated the wrath and gained the favour of the Deity. They formed themselves into large bands or companies, and went about from place to place, carrying banners and crosses, singing penitential hymns, and whipping themselves until the blood flowed. In 1291 they passed into Germany, and there made many converts; but on account of their irregularities and disorderly proceedings, a general outcry was raised against them, and they were at length put down. A second great outbreak of this mania took place after 1349, when that terrible scourge the black death had swept over Europe and carried off so many persons. The imaginations of the people, already excited by the pestilence, were ready to seize upon this superstition, which spread rapidly through Germany, Switzerland, Holland, Sweden, and even England. The scenes of the previous century were re-enacted with even greater excesses than before. Men and women indiscriminately now appeared in public half-naked, and underwent these self-inflicted scourgings. They held that flagellation was of equal virtue with baptism and the Lord's Supper; that forgiveness of sins was to be procured by it without the blood of Christ; that the law of Christ was soon to be abolished; and that a new law, enjoining a baptism of blood, to be administered by whipping, was to take its place. They were condemned by a bull of Clement VI., and other severities were practised against them, until at length they disappeared. Again, in the year 1414, a new troop of these fanatics made their appearance in Germany, under the leadership of one Conrad Schmidt, who claimed to have a divine mission. They were even more wild in their extravagances than their predecessors, rejecting all forms of worship, and holding that faith and flagellation were alone necessary to salvation. Their doctrines were condemned in the Council of Constance; and they were every-

where persecuted, and many of them were burnt as heretics; among whom was their leader, Schmidt; but it was with difficulty that their system was at length suppressed.

FLAMEN, *flam'men* (Lat.), the name given to a Roman priest devoted to the service of one particular god. There were fifteen flamens, each of whom received a distinguishing epithet from the name of the deity to whom he ministered. Two most dignified were those of Jupiter, Mars, and Quirinus, and were called respectively *Flamen Dialis*, *Flamen Martialis*, and *Flamen Quirinalis*, and they belonged to the patrician order; the others being plebeians. The name *flamen* is derived from the cap or fillet which they wore on the head. When the emperors were deified, they also had flamens.

FLEECE, ORDER OF THE GOLDEN, *fleece* (Sax., *flees*).—This order, one of the most distinguished in Europe, was founded in the year 1430, by Philip III., duke of Burgundy. One of its privileges conferred on the successors of Philip the title of hereditary grand master of the order; and, in consequence of this, it passed over both to the empire of Austria (on account of the inheritance of the dukedom of Burgundy) and to Spain, after the death of the celebrated Charles V. The order can be conferred both by the Sovereigns of Austria and of Spain. The chain of the order is now worn only by the grand-master, the knights wear a golden fleece on a red ribbon. The name evidently was derived from the classic legend of Jason and the Golden Fleece.

FLEET MARRIAGES were certain irregular marriages which were very prevalent in England in the latter half of the 17th and the earlier half of the 18th centuries, and were so called from being celebrated in the Fleet prison. The persons who celebrated these marriages were clergymen of the Church of England, imprisoned for debt, who, having lost all sense of propriety, were willing thus to prostitute their calling. Young ladies were compelled to marry against their wills, and young men were inveigled into marriages with the most worthless characters—while profligates found it very convenient, as enabling them to enter into a union which they could dissolve at pleasure. The accounts of the number of marriages thus celebrated are almost incredible. At first the marriage ceremony was performed in the chapel of the Fleet; but by an Act of Parliament passed in the reign of Queen Anne, marriages in chapels without banns were prohibited, and then the marriages took place in taverns or the room occupied by the Fleet parson. Over the doors were signboards with the inscription, "Marriages performed within." Attempts were made to stop the practice by Acts of Parliament; but these were of no avail against persons who had nothing to lose. At length, however, this enormity was brought to a termination by 26 George II. c. 33, which declared that marriages solemnized in any place other than a church or public chapel and without due publication of the banns, or license obtained from a proper authority, were not only void, but subjected the person solemnizing them to felony, punishable by transportation for fourteen years. Registers of the Fleet marriages were kept; and in 1838 a collection of the registrar's books, more than a thousand in number, was purchased

by the Government and deposited in the Consistory Court of London. (See MARRIAGE.)

FLEET PRISON, a famous London prison, so called from being situated on the river Fleet, a rapid stream which flowed into the Thames, now covered over. This prison, which stood on the east side of Fleet Market (cleared away for the construction of Farringdon street), was founded in 1157, and to it were formerly committed those who had incurred the displeasure of the Star Chamber. Many of the religious martyrs in the reigns of Mary and Elizabeth were imprisoned there. When that court was abolished, it became a prison for debtors, and for persons charged with contempt of the courts of Chancery, Exchequer, and Common Pleas. The fleet was infamously memorable for the atrocities practised by the keepers during the 18th century. This prison was burned in the great fire of London, in 1666, and again during the Gordon riots, in 1780; and was pulled down in 1846.

FLOGGING, *flog-ging* (Ang.-Sax.), a degrading system, much less frequently resorted to than formerly in our code of punishments (except in cases of boys or youths convicted of misdemeanours, garroters, and other perpetrators of brutal assaults), and it is now practically extinct in the navy. It was totally abolished in the army by the Army Discipline Act, passed in April, 1881. In the Middle Ages, flogging used to be one of the most favourite methods of punishment, and criminals were often whipped through the town on conviction of the most trifling offence. Until very recent times, pupils in public and some private schools too were cruelly flogged, many schoolmasters appearing to suppose that the infliction of the punishment was an essential part of any proper system of education.

FLOOD. (See DELUGE.)

FLORALIA, *flor-ral'-le-ah* (Lat.), a festival which, in ancient Rome, used to be celebrated in honour of Flora, the goddess of flowers. These *ludi florales*, according to Pliny, were instituted by order of an oracle of the Sibyls, on the 28th April, 238 B.C., and, after having been discontinued, were re-established in 173 B.C. The merriment was of a very licentious character. They were principally celebrated during the night-time in the patrician quarter; but some authorities allege that they were held in a circus erected on the hill Hortulorum.

FLORINIANS, *flor-in'-yans*, a sect of Gnostics of the 2nd century, who were so called after Florinus, a Romish priest, and who inclined to the views of the Valentinians, and who were excommunicated by Pope Eleutherius. They maintained that light and darkness were two eternal principles, from which respectively, all the good and evil in the universe had proceeded. (See GNOSTICISM.)

FLOTSAM, *flot-sam* (floating), is a law term, generally used in connection with the equally uncouth and barbarous terms *jettam* and *legam*, and applied to the goods of a vessel wrecked at sea. Flotsam is applied to such of the goods as continue floating on the surface of the waves; jettam is where they are cast into the sea, and there sink and remain under water; and ligam, is where they are sunk in the sea, but tied to a cork or buoy in order to be found again. If no owner appears to claim them within a year and a day, they belong to the crown, and are

regarded so far distinct from legal wreck, that by a royal grant of wrecks, things doctam, jetsam, and ligan will not pass.

FOLCLAND, *folk-land*, the name given in Anglo-Saxon times to that portion of the kingdom which was retained in behalf of the public, and with a view to increasing population, and the growing wants of the community, and not permitted to become absolute private property.

FOLKMOTE, OR FOLGEMOTE, *folk's mote*, in Anglo-Saxon times, the name given to certain assemblies of the people; but respecting the exact nature of which, historians are not agreed. Some think that it was not essentially distinct from the *shiremote*, or common general meeting of a county; while some speak of it as an inferior ordinary court, held once a month, to settle minor disputes among the people. Mr. Kemble is of opinion that it was originally the great meeting of the nation, which subsequently was styled the Witenagemote, the precursor of the later Parliament.

FOLKRIGHT.—In Anglo-Saxon times almost an equivalent of the rights now conferred on the people by the common law.

FONTEVRAULT, ORDER OF, *fon-te-vrault*, a monkish order connected with the Benedictines, which arose in the 10th century, and was named after its first monastery, established near Saumur, in France. Its founder was Robert d'Abbrissol. It comprised both monks and nuns; but had this peculiarity, that the latter had the pre-eminence, and the whole were subjected to an abbess, in imitation, as he said, of Christ's commendation of the apostle John to the matronage of the Virgin. This order had several houses in Spain and England, and at the time of the French revolution they had about sixty in France, which were abolished with the other religious establishments.

FOOL, COURT. (See COURT FOOL.)

FOOLS, FEAST OF, *fools* (Fr., *fol, fou*). The name of a festival regularly celebrated, with the most absurd ceremonies, both by clergy and laity, in several countries of Europe, from the 5th down to the 16th century. It is said to have been introduced in imitation of the Roman *Æturnalia*, and its celebration took place about the same time, the great day being New Year's day; but the ceremonies were often continued from Christmas to the last Sunday of Epiphany. At first only the boys of the choir and young monks played the principal part in them; but afterwards all the inferior servants of the church, and even laymen, engaged in them: while the bishop and other clergy formed part of the audience. A Bishop of Unreason was appointed, the forms and ceremonies of the Church were travestied, indecent songs were sung, dancing was carried on, and all manner of fooleries enacted. The ass often played an important part in the proceedings, being sometimes led towards the altar and having hymns sung in its honour, from which circumstances the celebration is sometimes known as the Feast of Asses. The feast of fools was condemned by several popes and bishops of the 15th century, and the council of Basle, in 1435, expressed its detestation of this and several other festivals; but it continued to be observed in many places down to the time of the Reformation.

FORBES MACKENZIE ACT, the name popularly given to Act 16 and 17 Vic. c. 57, entitled, "An Act for the better regulation of public-houses in Scotland," and which is so called from the late Mr. Forbes Mackenzie, M.P., the member by whom the bill was introduced in 1853. Some of the enactments of this statute are very stringent. In 1859, a royal commission was appointed to inquire into the working of this Act, and after collecting a great amount of evidence, they expressed themselves generally in favour of the Act, as having been productive of beneficial results.

FORCE AND FEAR, in Law, is a term applied to such restraint or interference with the freedom of action of an individual as will render an act performed by him, when in that condition, null and void. A contract entered into through force and fear is invalid. But "a fear of battery, or being beaten, though never so well grounded, is no duress; neither is the fear of having one's house burned, or one's goods taken away and destroyed; because, in these cases, should the threat be performed, a man may have satisfaction by recovering equivalent damages."

FORCIBLE ENTRY, OR DETAINER, in Law, is an offence against the public peace, which is committed by violently taking or keeping possession of lands and tenements with menaces, force, and arms, without the authority of law.

FORECLOSURE, *fore-klo-zhure* (Ang.-Sax.), the process by which a mortgagor is deprived, or foreclosed, of his right of redeeming the mortgaged estate. By what is called the equity of redemption, a mortgagor is enabled within a certain time, to call on a mortgagee who has possession of his estate, to deliver it back, and account for the rents and profits received, on payment of his whole debt and interest. But, on the other hand, the mortgagee may, where there is a power of sale in the deed, which is usual, either compel the sale of the estate, or call upon the mortgagor to redeem it presently, or, in default thereof, to be forever foreclosed from redeeming the same. For this purpose, the mortgagee files a bill of foreclosure; and if, on the day fixed for payment, the money be not forthcoming, the equity of redemption is declared to be forfeited, and the mortgagee obtains absolute possession of the estate.

FOREIGN ATTACHMENT. (See ATTACHMENT.)

FOREIGN ENLISTMENT ACTS.—Acts prohibiting enlistment in the service of a foreign prince were passed in the reigns of James I., George II., and George III., but the law on the subject is now regulated by 33 and 34 Vic. c. 90, which makes enlistment as a soldier or sailor in the service of any foreign state, without the permission of the sovereign, or inducing another person to do so, a misdemeanour.

FOREIGN OFFICE—A department of the administrative government, established in 1702. It has the exclusive charge of British interests and subjects in foreign countries, and is presided over by a Secretary of State, who is a member of the Cabinet. (See AMBASSADORS, CONSULS, &c.)

FOREIGNER. (See ALIEN.)

FORESTS, ROYAL.—In England, there are laws for the regulation of the royal forests. In early times a great part of England as of most other countries of Europe, was covered with forests, which subsequently, as being waste lands, came to be regarded as the property of the crown, and, as abounding with game of various kinds, were carefully protected, all persons being prohibited from hunting in them but the king, or persons authorised by him. After the time of the Conquest, the forests came to be guarded with greater strictness, their number was increased, and their bounds enlarged, and trespassers were punished with greater severity. Finally, a system of laws and courts for their administration was established, by which not only all offences touching the royal forests were tried, but all persons living upon these properties governed. The Conqueror is said to have possessed 68 forests, 13 chases, and 781 parks. A chase is a smaller kind of forest, not subject to the forest laws, and which may be in the hands of a subject, whereas a forest can only be held by the crown. A park differs from a forest or chase in being of smaller extent and inclosed.

Forest Laws.—The *carta de foresta*, of Henry III., the immunities of which, says Blackstone, were "warmly contended for, and extorted from the king with as much difficulty, as those of the *Magna Charta* itself," declares that "no man from henceforth shall lose either life or member for killing our deer; but, if any man be taken and convicted for taking of our venison, he shall make a grievous fine if he have anything wherof; and if he have nothing to lose, he shall be imprisoned a year and a day," and after that time, if he cannot find sufficient sureties, he shall forfeit the realm. It also contains the following provision:—"Whatsoever archbishop, bishop, earl, or baron, coming to us at our commandment, passeth by our forest, it shall be lawful for him to take and kill one or two of our deer, by view of our forester, if he be present; or else he shall cause one to blow a horn for him, that he seem not to steal our deer; and likewise they shall do returning from us as it is aforesaid." As this law is still unrepealed, any bishop or nobleman may shoot one or two of the deer, if he pass through a royal forest in going to or returning from parliament. By this charter, many parts which had recently been afforested were disafforested and stripped of their oppressive privileges, and regulations were made in the regimen of such as remained. The forest courts were instituted for the government of the king's forests in different parts of the kingdom, and for the punishment of all injuries done to the king's deer, or venison, to the vert or grassward, and to the covert in which such deer are lodged. (See COURTS.) The forests laws had long ceased to be much exercised, until Charles I. had recourse to this as one of the means of replenishing his empty exchequer. A court of justice-seat was held in 1632 and large sums of money were extorted from many persons for alleged encroachments on the ancient boundaries of the forest, though the lands thus claimed had been in their possession for several centuries. This was one of the first grievances taken up by the Long Parliament; and an act passed by that assembly (16 Car. I. c. 16), which declared that the boundaries of every forest shall be those commonly known or reputed as such; and that no place where a justice-seat or other forest court has been held within sixty years, shall be accounted forest. Since the passing of that act, the old forest laws have practically ceased. During the present reign, several of the royal forests have been disafforested by act of parliament.

FORESTERS, ANCIENT ORDER OF.

—A benefit society, the members of which, more than half a million in number, mostly belong to the working classes. There are courts in most of the principal towns, and on gala days, many of the members wear "lancey dresses of the 'Robin Hood' kind."

FORESTALLING, *fore-stall-ing* (Ang.-Sax.), in Law is, by 5 and 6 Edw. VI. c. 14, described to be the buying or contracting for any merchandise or victual coming in the way to market; or dissuading persons from bringing their goods, or provisions there; or persuading them to enhance the price when there. It is commonly associated with *regrating*, which is described by the same statute to be the buying of corn or other dead victual in any market, and selling it again in the same market, or within four miles of the place; and *engrossing*, or the getting into one's possession, or buying up, large quantities of corn or other dead victuals, with intent to sell them again; any of which practices were supposed to make the market dearer to the fair trader. Various subsequent statutes were passed at different times against these alleged offences, until they were repealed by 2 Geo. III. c. 71. It was not, however, till the passing of 7 and 8 Vic. c. 24, that forestalling, regrating, and engrossing ceased to be indictable at common law. This statute, however, does not affect the offence of spreading false rumours to enhance or decrease the price of goods, which is still punishable.

FORFEITURE, *for-fit-ure* (Lat., *forefactura*, expulsion or outlawry), a punishment by loss of lands, estates, offices, or personal effects, consequent on convictions for treason, or felony. Forfeiture is twofold—of real and of personal estates. The forfeiture of goods and chattels accrues in every one of the higher kinds of offences—in high treason or misprision thereon; felonies of all sorts, self-murder, and a few others. In all these cases the personal estate of the offender of every description, whether in action or passion, or settled by way of trust, which he has otherwise than as an executor, or trustee, or mortgagee, at the time of conviction, is forfeited to the crown. Lands are forfeited only upon attainder; goods and chattels are forfeited upon conviction. (See ATTAINDER.) Offices are forfeited by the neglect or misbehaviour of the holders, and the right to the next presentation to ecclesiastical benefices is forfeited by lapse.

FORGERY, *for-je-re* (Lat., *crimen falsi*), is defined to be "the fraudulent making or alteration of a writing to the prejudice of another man's right." By 5 Eliz. c. 14, to forge or make, or knowingly to publish or give in evidence, any forged deed, court roll, or will, with intent to affect the right of real property, either freehold or copyhold, was punishable by a forfeiture to the party aggrieved of double costs and damages; by standing in the pillory, and having both his ears cut off, and his nostrils slit and seared; by forfeiture to the crown of the profits of his lands, and by perpetual imprisonment. As commerce increased, and when paper credits were established, various statutes were passed inflicting capital punishment on the forging, altering, or uttering as true when forged, bank-bills, notes, or other securities, bills of credit, &c.; so that in Blackstone's time, as he says, there was "hardly a case possible to be conceived wherein forgery that tends to defraud, whether in the name of a real or fictitious person, is not made a capital offence." But by 11 Geo. IV. and Will. IV. c. 66, the statutes concerning this offence were consolidated, and, after long and reiterated discussions, the punishment of death was also abolished in all cases,

except for the forgery of wills and bills of exchange. Finally, by 2 and 3 Will. IV. c. 123, and 1 Vic. c. 84, the punishment of death was abolished for all kinds of forgery, and a punishment varying from transportation for life (now penal servitude) to imprisonment for one year, according to the nature of the offence, substituted. It is by no means necessary to constitute a forgery, that the name of any person be counterfeited, though this is the most common mode in which it is effected; for any material alteration, however slight—as the ante-dating of a deed, is as much a forgery as the other. Even if the name subscribed be a fictitious one, but appended for the purpose of deceiving, a forgery has been committed. The offence is complete by the making the forged instrument with a fraudulent intent, though it be not published or uttered. It consists in the fraud or deceit.

FORM, in Law, a term applied to a rule to be observed in legal proceedings. We also use the terms form of rhetoric, form of government, beautiful form, logical form, &c.

FORMA PAUPERIS, *for'-ma paw'-pe-ris* (Lat., in the form or condition of a poor person). By statute 11 Henry VII. c. 12, every poor person,—that is, such as will swear that he is not worth five pounds—shall have original writs or *subpoenas* gratis, and counsel and attorney assigned to him without fee; and is excused from paying costs when plaintiff, by the statute 23 Henry VIII. c. 15, if unsuccessful; but, according to Blackstone, it was formerly usual to give such paupers, if nonsuited, their election either to be whipped or pay the costs. A pauper, however, in the event of success, might recover costs, though he paid none. To prevent the abuse of suing in the superior courts for small amounts, the Act 19 and 20 Vic. c. 108, provided that, subject to certain exceptions, any plaintiff who resorts to one of the superior courts in a case falling within the cognizance of a county court, and recovers no more than £20, or in some cases £5, should have no costs unless he satisfies the court or a judge that he had sufficient reason for taking that course. In Scotland, poor persons have been able to sue and receive professional assistance gratis since 1424.

FORMEDON, *for'-me-don* (a corruption of the two Latin words *formam doni*, according to the form of the gift), an old form of action, which was in the nature of a writ of right, and was the highest action the tenant in tail could have. This, with many of the other old forms, was abolished by 3 and 4 Will. IV. c. 27.

FORMS OF PROCEDURE. (See **PROCED.**)

FORMULA, or **FORMULARY**, *for'-mu-la, for'-mu-la-re* (Lat.).—A rule or model, or certain terms prescribed or decreed by authority, for the form or manner of an act, instrument, proceeding, or the like. The Roman law was full of formulas. In church matters, a formula is a profession of faith; in medicine it denotes the constitution of medicines, either with respect to their prescription or consistence.

FORMULARY, a book or writing containing stated and prescribed forms, as of oaths, declarations, prayers, and the like. The Book of Common Prayer is the formulary of the Church of England.

FORNICATION, *for-ni-kai'-shun*. Illicit sexual intercourse. (See **PROSTITUTION**.)

FORTHCOMING, in Scots law, is a form of action by which the subjects of an arrestment are made available to the arrester.

FORUM, *for'-um*, in Law, *forum competentis* is the court to the jurisdiction of which the party is amenable.

FOSSA ET FURCA, *fos'-sa, fus'-ka*, or “pit and gallows,” was an ancient privilege, granted by the crown, giving the right of drowning female felons in a ditch, and hanging male felons on a gallows.

FOUNDATIONS.—Institutions established and endowed, usually by private individuals, for the promotion of some useful or benevolent purpose. During the Middle Ages, it was very common to bequeath property for various religious or scholastic purposes. The two great universities of England—Oxford and Cambridge—owe their existence mainly to this source, as do also the greater number of the grammar and free schools throughout the country. Numerous hospitals have also been established in this way, and various other institutions for the relief and assistance of the poor.

FOUNDLING HOSPITALS, *found'-ling* (Ang.-Sax.), are charitable institutions established for the care and upbringing of foundlings, or children that have been abandoned by their parents. The object of such institutions is to prevent the destruction of children, either by actual violence, or through exposure in the streets or highways; and their establishment dates from the Middle Ages. In ancient Greece and Rome, the exposure of children was a frequent practice, as it is among the Chinese at the present day. Neither Plato nor Aristotle condemn it; they content themselves with laying down general rules for the preservation of the healthier and stronger at the expense of the more weakly. Thebes was the only state of ancient Greece that is known to have forbidden by law the exposure of children. Abandoned children were declared by law to be the slaves or absolute property of those who brought them up. The practice of exposing infants seems also to have prevailed among the Germanic nations before the introduction of Christianity. With the spread of Christianity, different feelings began to prevail on this subject; and the exposing of infants was forbidden by the emperors Valentinian and Gratian. At the same time, the stricter laws that came in force concerning marriage and against concubinage, rendered women more anxious than before to conceal their shame; so that, in fact, the danger to infants of being exposed or put to death was rather increased than diminished. So early as the 6th century, a species of foundling hospital is said to have existed at Trèves; the then bishop of that place permitting children to be deposited in a marble basin which stood before the cathedral, and giving them in charge to the members of the church. The first well-authenticated instance, however, is that established at Milan in 787, by the archpresbyter Datheus. Subsequently, foundling hospitals were established at Montpellier in 1070, at Einbeck in 1200, at Florence in 1317, at Nürnberg in 1331, at Paris in 1362, and at Venice in 1380. In 1198, Innocent III., when rebuilding the great hospital of Santo Spirito at Rome,

allotted a portion of it for the reception of foundlings. This system prevails in France, Spain, and Italy, and in general in all the Roman Catholic countries in Europe; whereas in Protestant countries it is not looked upon with favour. The principal objection that has been raised against foundling hospitals is, that they tend to encourage illegitimacy; and the great argument in favour of them is, that they have the effect of preventing child-murder. Foundling hospitals, too, are more necessary in those countries where there is no legal provision made for the poor, than where, as in our own, the mothers of illegitimate children, if unable to support them, may have recourse to the parish poor-house. The usual mode of depositing children in foreign foundling hospitals is by means of a turning-box fixed in the wall, in which the child is laid, and, on a bell being rung, it is taken in by one of the watchers.

Foundling Hospital in London.—An institution established in 1739, by Captain Thomas Coram, a benevolent sailor, as “an hospital for exposed and deserted children.” So great, however, was the influx of inmates, that the funds of the institution were inadequate to its support; and as the system did not meet with much favour in this country, the character of the hospital was, in 1760, changed from a foundling hospital to what it now is, an hospital for poor illegitimate children: whose mothers are known. The community requires to be satisfied of the previous good character and present necessity of the mother of every child proposed for admission. The qualification of a governor is a donation of £50. Among the principal benefactors to the hospital was the great Handel, who used to perform his oratorio of “The Messiah” in the chapel.

FOURIERISM. *four-ri-er-izm*, the name given to a system of socialism promulgated by Charles Fourier (1773—1837), and which differs materially from the systems of communism strictly so called. It professes to be based upon natural laws, and to be founded on calculations which he maintained to be the counterpart of Newton's physical system. He taught that human society was yet in a crude and infantile condition; that the full period of existence for the human race was 80,000 years, and that the middle period (yet a long way off), would be a period of prosperity and happiness. The system of communism, does not, in theory at least, withdraw any of the motives to exertion which exist at present, nor does it contemplate the abolition of private property. According to the Fourierists, there is scarcely any kind of usefule labour which is naturally and necessarily disencouraged, unless it be either regarded as dishonourable, or is immoderate in degree, or destitute of the stimulus of sympathy and emulation. They therefore endeavour to strengthen and foster those motives for exertion that are naturally inherent in man. Society was to be formed into associations or phalanxes, each comprising 100 families, or 1,500 persons, numbers brought out by very careful calculations. The phalanx was to include everything in its structure and character which could gratify the highest taste and sense of enjoyment. The pursuits and functions of the members were to be infallibly adjusted through a distribution by which each person was to be set precisely to that occupation in life to which his passions and propensities directed him. Life was thus to be a perpetual enjoyment, and labour, instead of being a task, was to be as much a source of enjoyment as the pursuits of the hunter or the angler. The designer of the system

evidently overlooked the fact that men and women must have attained an almost angelic perfection before being fit members of such a community. The property of the association was to be held in 1,128 shares, and the whole products were to be divided into twelve parts; of which five were to go to labour, four to capital, and three to skill or talent. The capital of the community may be owned in unequal shares by different members who would receive proportional dividends; and the claim of each person to the share of the produce appropriated to talent is estimated by the grade or rank which the individual occupies in the several groups of labourers to which he or she belongs. The remuneration, when received, would not of necessity be expended or enjoyed in common. The system, however, as a whole, is so complex, that Fourier himself never admitted that even the most ardent of his disciples understood it; and to the last he would sanction nothing as an announcement of his views that he had not himself written. An attempt was made to carry out Fourier's views practically in the neighbourhood of the small town of Ramebouillet, easily accessible from Paris. About £20,000 is said to have been expended in the attempt, which proved a failure.

FRANCHISE, *fran-tshiz* (Fr., a privilege or freedom from any onerous duty), is defined to be a “royal privilege or branch of the king's prerogative subsisting in the hands of a subject.” It thus must necessarily arise from a king's grant, or it may be held by prescription, which supposes a grant. The right of voting at an election for a member of Parliament is also termed a franchise. (*See* PARLIAMENT.)

FRANCISCANS (GREY), OR MINOR FRIARS, *fran-sis-kans*, one of the four orders of mendicant friars, termed Franciscans, after their founder, St. Francis Grey, from their grey clothing; and Minor, or Minorites, in token of their humility. The order was established by St. Francis at Assisi, in Naples, in 1208. It was distinguished by vows of absolute poverty and a renunciation of all the pleasures of the world, the members being strictly prohibited from having any property whatever. The rule of the order, sanctioned by the Pope in 1210 and 1223, destined them to beg and preach. The Popes granted them many extensive privileges which excited the envy and opposition of the secular clergy, upon whose rights they often made great encroachments; and they refused to acknowledge any authority whatever but that of the Pope. They spread with great rapidity, and at length comprised many thousand monasteries, all established by alms and contributions. The rule of poverty, so strictly enjoined by their founder, came in time to be somewhat relaxed, and the monasteries were permitted to hold property. Learning, too, which was at first despised, came to be cultivated within their monasteries, and many of their members became distinguished as scholars; as Bonaventura, Duns Scotus, Roger Bacon, and others. Several of them have also risen to the highest offices of the Church: Pope Nicholas IV., Alexander V., Sixtus IV. and V., and Clement XIV. being of this order. Many of their early austerities were greatly mitigated; and this and other differences led to numerous divisions and sub-divisions among them. Among the minor orders of the Franciscans thus formed are the Capuchins, Celestines, Spirituals, Recolants (or sandal

wearers), Observantes, Capuchins, Cordeliers, Alcantarines, &c. In the middle of the last century, there were above 7,000 houses of this order, having in them above 115,000 monks; besides about 900 convents, having 28,000 nuns. The Franciscans are not now very popular in Europe, and have been suppressed in more than one kingdom; but they are still one of the most numerous bodies of the Roman Catholic Church, and have missions established in almost every part of the world. They are very numerous in the United States of America. The Franciscans are said to have come over into England in 1224. They subsequently became very numerous in this country.

FRANC-TIREURS, *frank-te-reur'* (Fr., free-shooters).—On the outbreak of the Franco-German war in 1870, companies of men in France carried on a sort of guerilla warfare, attacking small detachments of Germans, and practising great barbarities. Subsequently they were better organized and co-operated with the regular French army.

FRANK, OR FRANKING LETTERS, was the privilege enjoyed by the members of both houses of Parliament, and many official persons, of sending or receiving a certain number of letters, free of postage, which was abolished on the introduction of the penny postage system in 1840. Before that time each member of either house of Parliament was allowed to send daily ten letters, not exceeding an ounce in weight each, to any place in the United Kingdom, and to receive fifteen free of charge; a privilege which was greatly abused.

FRANKALMOIGNE, *frank-al-moin* (Ang.-Nor.) (Lat., *libera elemosyna*, free alms), that kind of tenure whereby a religious corporation, aggregate or sole, holdeth lands of the donor, to them and their successors for ever. This is the tenure by which almost all the ancient monasteries and religious houses held their lands. The statute of 12 Car. II. c. 24, which abolished the old tenures, specially reserved tenure in frankalmoigne.

FRANKLIN, *frank-lin* (Ang.-Nor.), was the ancient name for a free-holder in England. In Chaucer's time, a franklin was a man of substance, enjoying abundance of good cheer; a chief man at the sessions, had been a sheriff, and frequently knight of the shire. In "Ivanhoe," Scott describes Cedric, the wealthy Saxon, as a "franklin." In Shakespeare's time, the franklin seems to have been only a yeoman, a man above a vassal or villain. There appears, however, to be no foundation for Dr. Johnson's definition of a franklin as "a gentleman servant, steward, or bailiff."

FRANK-MARRIAGE, *frank-mar-ridi* (Ang.-Nor.) (Lat., *liberum matrimonium*), was a species of estate tail now gone out of use, and which is defined to be "where tenements are given by one man to another, together with a wife, who is the daughter or cousin of the donor, to hold in frank-marriage."

FRANK-PLEDGE, *frank-pled* (Ang.-Nor.) (Lat., *franci pletium*), in the early customs of England, denoted a pledge, or surety, for the behaviour of a freeman, called also *frankpledge*. Before the Norman conquest, a law prevailed in this country of the members of each district or circuit being made responsible for the

good conduct of each other. Every free-born man, at the age of fourteen (religious persons, clerks, knights, and their eldest sons excepted), was bound to find surety for his truth towards the king and his subjects, or else to be kept in prison. Hence it became customary for a certain number of neighbours to become bound for one another, to see each man of their pledge forthcoming at all times, or to answer for the offence of any one absenting himself. This was called frank-pledge, and the circuit thereof was called *decenna*, because it usually consisted of ten households.

FRATERNITY, *frat-er-ne-te* (Lat., *frater*, a brother), signifies literally a body of men united together in one brotherhood, and in Roman Catholic countries denotes societies originated for purposes of devotion. Italy, Spain, and Portugal are the countries where the greatest number of these fraternities are to be seen, some of which assume the name of arch-fraternities.

FRATICELLIANS, *frati-cell-ians* ("Little Brethren"), a name given to the more rigorous party of the Franciscan monks, who, as a result of the dispute which arose in the order, referred the larger subject to the authority of the Church. They proclaimed the Pope an apostate from the faith; and soon found many adherents, especially the "Brethren of the Free Spirit." They were condemned by Papal bulls in the 14th century, and were the objects of cruel persecution. The sect disappeared by the beginning of the 16th century. They professed a Divine mission for the restoration of religious truth, asserted that the Romish Church was apostate, forbade oaths, and discontinued marriage. They elected a Pope and a college of cardinals and an episcopal hierarchy of their own.

FRAUD, *fraud* (Lat., *fraus*), in Law, includes all deceitful practices, in defrauding, or endeavouring to defraud, another of his known right, by means of some artful device, contrary to the plain rule of common honesty. It is condemned by the common law, and punishable according to the heinousness of the offence. All frauds and deceits for which there is no remedy by the ordinary course of law constituted one of the chief branches of cases to which the jurisdiction of chancery was originally confined. A fraudulent conveyance of lands or goods to deceive creditors is, as to creditors, void in law; and a fraudulent conveyance to deceive purchasers is also to such purchasers void. Where a person is party to a fraud, all that follows by reason of that fraud shall be said to be done by him. *Suppression veri* (suppression of truth), *suggestio falsi* (suggestion of falsehood), in solemn conveyances, releases, or agreements, will afford a sufficient ground for setting them aside. *Constructive fraud* is applied to such acts or contracts as, though not originating in any actual evil design or contrivance to perpetrate a positive fraud or injury upon other persons, yet, by their tendency to deceive or mislead other persons, or to violate public or private confidence, or to impair or injure the public interests, are deemed equally reprehensible with positive fraud, and are prohibited by law, as within the same reason and mischief as acts and contracts done *malis animis*. Gross criminal frauds are punishable by way of indictment or information; such as playing with false dice, causing an illiterate person to execute a deed to his prejudice, &c. For these

and such-like offences, the party may be punished with fine and imprisonment. Frauds are not indictable at common law unless they be such as affect the public; as vending unwholesome provisions, or using false weights or measures; or by way of conspiracy; or unless they affect the crown or the administration of justice.

FREE BENCH, *free bench* (Sax., *frīg*, fresh; *ben*, bench; Lat., *seles libera*, or *francus bencus*).—That share in copyhold lands which a widow hath on the death of her husband, and which is regulated as to its quantity, quality, and duration, according to the custom of the particular manor. The term "free bench" denotes that it comes freely, without any act of the husband, or assignment of the heir. Frequently the customary right is during widowhood only, and in some manors—East and West Enborne and Chadleworth, in Berkshire, and Torr, in Devonshire—if the widow be found guilty of incontinency, she loses her free bench, unless she comes into court riding backwards upon a black ram, and repeating certain ridiculous and rather indelicate words. This custom is described in a paper of Steele's "Spectator." Free bench differs from dower at the common law, in that the former does not attach, even in right, till the actual decease of the husband; whereas the right to dower attaches immediately on marriage.

FREE CHURCH, *free church*, is the name assumed by the largest and most influential religious body in Scotland who differ from the principles of the Established Church, and who separated themselves from it at the Disruption of 1843. They refuse to be called dissenters, because they contend that their principles are those of the Church of Scotland, and that it is the Established Church, and not they, that have departed from the principles of the Church, as set forth in the Confession of Faith and the other standards. They are also known as *Non-intrusionists*, from the great principle against which they contended being the intrusion, or establishing, of a minister in a church by the patron, contrary to the wish of the people. The question of patronage had slumbered for about half a century, when it was again brought into life in 1833 by Dr. Chalmers, who brought his Veto measure before the General Assembly, to the effect that the dissent of a majority of the male heads of families resident within the parish, being members of the congregation, and in communion with the church for a period of at least two years, ought to set aside the patron's nominee. The measure was at first rejected; but it was carried the following year, and became law. Nothing occurred to disturb this law till 1837, when the Earl of Kinnoull having, as patron, presented Mr. Young to the vacant living of Auchtermadar, the congregation were so dissatisfied with him, that a protest against his settlement was signed by 287 out of 320 persons on the communion roll. Against the decision of the Church courts, Mr. Young appealed to the Court of Session. The highest legal talent was employed on both sides, and, after lengthened pleadings, the judges decided, by a majority of eight to five, in favour of Young. The discussion turned mainly upon the question whether it was competent for the General Assembly to pass such an enactment as the Veto Act. The civil court having decided that the Veto Act was illegal, the struggle now took a new form—resistance to civil

encroachment on the spiritual jurisdiction of the Church, as well as the maintenance of popular rights. Resolutions in support of the independence of the Church were passed in the Assembly of 1838, and it was agreed to appeal from the decision of the Court of Session to the House of Lords, which was accordingly done. The House of Lords confirmed the decision of the inferior court, holding that the Church, in the matter of the fitness of a presentee, "must strictly limit herself to judge of his personal qualifications; that is, his life, literature, and manners." The decision gave great offence to the Non-intrusionists. In another case, that of Lethendy, the Presbytery ordained a clergyman to the parish church, in the face of an interdict from the Court of Session, and the members of the Presbytery were brought before the bar of the court, and subjected to a severe censure. In the Marchoch case, on the other hand, seven clergymen, forming a majority of the Presbytery, complied with the order of the Court of Session, and were suspended from their ministerial office by the Commission of the General Assembly. The seven presbyters appealed to the civil court, and their opponents were interdicted from preaching in the churches, churchyards, or school-rooms of the seven deposed presbyters. In 1840, Lord Aberdeen introduced a bill into Parliament, with the view of composing these differences and putting the points of dispute on a proper basis; but it was regarded as unsatisfactory by the General Assembly, and was consequently abandoned. Another attempt to heal the breach by Act of Parliament was made in 1841 by the Duke of Argyll, who brought a bill into Parliament which was substantially a repetition of the Assembly's Veto Act; but Parliament having been suddenly dissolved, the measure fell to the ground. In 1842, the General Assembly drew up a claim of right, or "a claim, declaration, and protest against the encroachments of the Court of Session," asserting the sole headship of Christ over the Church; citing the various statutes by which the independence of the Church and its civil rights and privileges had been secured; and claiming, in the name of the Church and on behalf of the nation and people of Scotland, as of right, freely to possess her liberties, and to be protected against the encroachments of the Court of Session. This claim was laid before the Queen, and, in reply, Sir James Graham addressed a letter to the General Assembly, in which the claim of right was pronounced to be unreasonable, and the intimation conveyed that the Government could not advise her Majesty to acquiesce in these demands. The Disruption took place on the 18th of May, 1843, "the greatest event," says Lord Cockburn, "that has occurred in Scotland since the Rebellion of 1745, if not since the union." On the 23rd of May, an "Act of Separation and Deed of Demission" was adopted, and signed not only by those clergymen who were members of Assembly, but by all the others who participated in their views, the number being 474; and, in almost every case, the great majority of their congregations went along with them. The tenets and government of the Free Church are identical, except in the points already indicated, with those of the Church of Scotland. (*See SCOTLAND; CHURCH OF.*) There are now nearly a thousand congregations. A large college was founded in 1846.

FREE CITIES, *free cities*.—The name

given to certain German cities which formed of themselves independent states. They were Hamburg, Bremen, Lubeck, and Frankfort-on-the-Maine. Frankfort was annexed to Prussia in 1866; the others retain their privileges.

FREEDOM AND NECESSITY. (See FREE WILL.)

FREEDOM OF THE PRESS. (See PRESS, LIBERTY OF.)

FREEHOLD, *free-hold* (Ang.-Sax.) (Lat. *liberum tenementum*, frank tenement), an estate in lands or other real property, held either in fee, in tail, or for life, independently of the will of the feudal lord, and is used in opposition to copyhold lands, held during the will of the superior, or for a term of years. By the feudal law, none but a freeholder was regarded as having possession of the land, and no person who had an estate for less than a lifetime, either his own or some other person's, as his wife's, was regarded as a freeholder. Freehold also extends to offices which a man holds either in fee or during life.

FREEHOLD LAND SOCIETIES.—Societies established on the principle of building societies, by means of which workmen and other persons of small means might become possessed of freeholds worth forty shillings a year, and so be enabled to vote for members of Parliament.

FREEMAN, or FREEDMAN, *free-man*, *freed-man*, is a term used in contradistinction to a slave, and denotes one that is born or made free, and who enjoys certain privileges, which are denied to the other. The title is also given to one admitted to the freedom of a corporate town, or of any other corporate body.

FREEMASONRY, *free-mas'-son-ry* (Fr. *maçon*, mason), is a term applied to a secret and wide-spread association, who term themselves Free and Accepted Masons. Societies of Freemasons exist in all parts of the civilized world, and their members are of every religion and condition of life. Every candidate, before his initiation, comes under a solemn engagement never to divulge the mysteries of the order, not to communicate to the uninitiated the secrets with which he may be intrusted, and the proceedings and plans in which the fraternity may be engaged. After the candidate has undergone the necessary ceremonies, and received the usual instructions, appropriate words and significant signs are imparted to him, that he may be enabled to distinguish his brethren of the order from the uninitiated, and to convince others that he is entitled to the privileges of a brother; should he be sided by distress or by want in a distant land, after a due interval of probation, if the newly initiated member be found qualified for a higher grade, he is promoted, till he has reached that sonic knowledge which enables him to hold the highest offices of trust to which the fraternity raise its members. At regular and appointed seasons, convivial meetings of the fraternity are held in lodges, constructed for the purpose; and all distinctions of rank are laid aside, all differences in religious and political views forgotten. Masonry claims to be founded "the practice of social and moral virtues," and most much has been written both for and against Freemasonry, its ritual, benefits, and enjoy; while books have even appeared purporting to reveal all the secrets of the order, but

most Masons maintain that the true secret of Masonry has never yet been divulged, and there are many even Masonic writers, defenders of the society, who yet call its secret signs and rites accidental and unimportant. Few, even among intelligent Masons themselves, credit the great antiquity which some of their authors claim for it. According to some, it is as old as the creation, while others only carry it back to the building of the tower of Babel, and some are content with tracing it no farther back than the building of Solomon's temple. It is asserted that the institution has been continued down, in uninterrupted succession, from that very remote period to the present day, through all the changes of governments, religion, civilization, and knowledge. The most ancient lodge of Freemasons in England is that of York, founded in 926, under the patronage of Edwin, brother of King Athelstan, who obtained for it a charter from the king, and became himself grand master. The constitution of this lodge, which is still preserved at York, gives a history of Masonry from the earliest times, beginning with Adam, and comprising quotations from some rabbinical tales, respecting the building of the tower of Babel and the temple of Solomon. Freemasonry was first introduced into Scotland by those architects who built the abbey of Kilwinning; and the Kilwinning lodge is the most ancient in that country. After the establishment of the York and Kilwinning lodges, the principles of Freemasonry were rapidly diffused throughout both kingdoms, and other lodges were erected in different parts of the island, which remained under the jurisdiction and control of the two mother-lodges. In this way, Masonry continued to flourish in this country for several centuries after it had ceased on the continent; for the Church had come to regard them with suspicion, as being possessed of a power and influence which might, in time, be turned against itself. In this country, an act was passed against them in the third year of Henry III., at the instigation of the bishop of Winchester, which however, was never enforced; and the king himself afterwards countenanced them with his presence. James I. of Scotland was also a great patron of the craft. Long before this time, however, the order had ceased to be confined to architects or builders; and noblemen, gentlemen, kings, and princes, were enrolled among its members as "accepted Masons." Among those who have held the office of grand master, may be mentioned Henry VII., Cardinal Wolsey, Inigo Jones, Sir Christopher Wren, the late Duke of Sussex, and the present Prince of Wales. In 1717, an entire change was effected in the constitution, and while retaining the name and customs of the ancient fraternity, the society ceased to be connected with building; but for brotherly love and mutual aid. The same year, the first regular grand lodge was formed in London, with power to grant charters for the holding of other lodges. The "Book of Constitutions," drawn up by James Anderson, and based upon the "Gothic Constitutions" of 1686, for the use of the lodges, was published in 1723, and several editions have since been published. Since that time, Masonry has continued to flourish, and at present the grand lodge of England has upwards of 1,000 lodges under its jurisdiction. It is possessed of great wealth, and distributes several thousand pounds annually for philanthropic purposes; contributing, among other things, to the support of a Masonic girls

school, established in 1788; a Masonic boys' school, established in 1798; a benevolent fund for aged Masons, established in 1842; and a widows' fund, established in 1850. The number of lodges in Scotland is about 400. The first lodge in France established after the English system was founded at Paris in 1725; the first in Germany, at Hamburg in 1735; and the first in America, in 1730. Masonry has made great progress in America, particularly in the United States.

FREE PORT, *free port* (Lat., *portus*, a port), a port or harbour free to ships of all nations to enter and load or unload, on payment of moderate duties. They also form depôts where goods may be deposited without payment of any duty, and afterwards either re-exported on payment of mere transit duty, or admitted for consumption on paying the usual custom dues.

FREE SPIRIT, BRETHREN OF THE. (See BRETHREN OF THE FREE SPIRIT.)

FREE THINKER, *free-think-er* (Sax., *thincan*, to think), is a term applied to one who exercises freedom of thought, and is generally used to denote one who is sceptical on matters of religion. (See DUISM, ATHEISM.)

FREE TRADE, *free trade* (Sp.-Port., *trato*, trade), in Political Economy, denotes the freedom of buying and selling without any interference by way of improving or otherwise influencing trade. (See GORN LAWS, CUSTOMS DUTIES, BOUNTY, BALANCE OF TRADE, POLITICAL ECONOMY.)

FREE WILL, FREEDOM AND NECESSITY, *free will*, *free-dom*, *ne-ces-si-ty*, *lib-er-ty* (Sax., *willa*, will; Lat., *necessitas*, necessity; *libertas*, liberty), are terms employed to denote one of the most difficult questions in the whole field of mental science—the power of a man over the determination of his own will. Freedom has commonly been distinguished into freedom from coercion and freedom from necessity. Freedom, from coercion implies, on the one hand, the absence of all impediment or restraint, and, on the other hand, the absence of all compulsion or violence. Thus, if we are prevented from doing what is in our power when we desire or will to do it, or if we are compelled to do it when we desire and will not to do it, we are not free from coercion. Freedom from necessity, called also liberty of election, implies freedom from anything invariably determining a moral agent. This freedom from necessity, however, does not mean that the agent has no motive or no more inclination towards one course of action than another; for he may have motives prompting him more urgently to act in one direction rather than in another, and still have liberty of election, if he has the power of determining in favour of another course of action. The universal language and practice of mankind is founded upon a belief in a kind of free will. To choose, to deliberate, to determine, are expressions in every man's mouth; and the whole of our penal code is founded upon the conviction that men have the power of doing or abstaining from certain acts. But if we examine the matter more closely, and look at the particular acts of one's life, we will find that this freedom of choice does not actually exist to the extent that we might at first sight be inclined to suppose. A man's habits, his education, his character, all go in some measure to determine his acting in a

given case in a particular way. Hence, therefore, every act of the will, in some degree at least, depends upon something going before, or in the circumstances of the individual; and in so far it is not absolutely free.

FRIAR, *fri-ar* (Fr., *frère*, brother), a term applied to members of certain religious orders in the Roman Catholic Church, in contradistinction to monks, settled in monasteries, and the regular clergy. Particularly, it was applied to those of the mendicant orders, of which the principal were the four following:—Franciscans, Minors, or Grey Friars; Augustines; Dominicans; or Black Friars; and Carmelites, or White Friars. In a more peculiar sense, friar is restricted to such monks as are not priests; the latter being usually dignified with the appellation of *father*.

FRIARS OBSERVANT (Lat., *fratres observantes*), were a branch of the Franciscans, who separated themselves from their brethren of that order, on the ground of a laxity of discipline, and lived apart in places of their own choosing, agreeing among themselves to "observe" the rules of their order more strictly than the conventuals did.

FRIENDLY SOCIETIES, OR BENEFIT SOCIETIES, *friend-ly* (Sax., *freond*, friend), are voluntary associations of persons, chiefly of the humbler classes, for the purpose of forming a fund, by mutual contribution, for the assistance of members in the case of sickness or other distress. Each member contributes a certain sum weekly, monthly, or annually, while he is in health, and receives a certain allowance or pension when incapacitated by sickness or old age. The origin of friendly societies has been traced to the guilds which existed in the Middle Ages. Mr. Turner, in his "History of the Anglo-Saxons," says, "The guilds, or social corporations of the Anglo-Saxons, seem on the whole to have been friendly associations, made for mutual aid and contribution to meet the pecuniary exigencies which were perpetually arising from burials, legal exactions, penal mulcts, and other payments or compensations." Actuaries of great experience have estimated, as the result of a careful collection of facts, that the average of weeks of sickness in periods of life were about—from the age of 20 to 30, nine; from 30 to 40, ten; from 40 to 50, fourteen; from 50 to 60, twenty-seven; from 60 to 65, twenty-six; from 65 to 70, fifty; from 70 to 75, eighty-five; and from 75 to 80, a hundred and twenty. In soundly-constituted societies, the payments made by members are regulated according to age; and members are not admitted if in bad health or broken in constitution, as that would be seriously unfair to the healthy members. There are about 48,000 legally registered Friendly Societies in the United Kingdom. Some of them, known as affiliated societies, are very extensive organizations. The Manchester Society of Odd Fellows has nearly 350,000 members; the Order of Foresters, 50,000. There are about 40 smaller affiliated bodies, each with more than 1,000 members; and of "general societies" there are at least eight in London only, with an aggregate of 50,000 members. In the British colonies, Friendly Societies have obtained a firm footing and are rapidly increasing. Law of Friendly Societies. The statistical results that about such associations have to the Government, from time to time, in the following documents in their

still suffer from their conscientious refusal to pay tithes and church-rates. The Quakers of to-day differ materially from those of twenty, or even ten years ago. A series of movements, more particularly since 1836, led to the taking up and discussing in a free and liberal spirit the peculiarities of speech, dress, and behaviour which separated them from their fellow-citizens, and these have been relaxed so far that every one is now at liberty to adopt for himself in these matters whatever he deems consonant with the great principles of simplicity and Christian propriety. The familiar old-fashioned costume is now rarely adopted by the younger members of the body; and in externals the congregations assembling at the principal meeting houses differ in very slight respects only from those worshipping at churches. Simplicity and neatness are more apparent, but the style of the costume is nearly the same. The much derided, "thee and thou" are seldom heard among the younger members of the society, and never from those members of the body who, like Mr Bright, have attained eminence in political life. In social life, the habit of addressing one another by their Christian names is generally maintained, but not on public occasions. One well-known member of the society, the representative of a line of eminent Quakers, has recently accepted a baronetcy, but there seems to be no special objection to his using the prefix, "Sir." Quakers of the old school disliked, and even objected to having their portraits taken; but that prejudice has disappeared. In commercial matters, Quakers have always been noted for industry, prudence, and integrity; sometimes, indeed, they have been charged with being over "acute" in their dealings, and some members of the society were in very bad odour in the old corn law days, being suspected of holding back, or even destroying wheat, for the sake of keeping up the price. If individual members ever really deserved such an imputation, the society as a body made a noble compensation by the support afforded to the Anti-Corn Law League. It cannot be denied that the Friends have been among the noblest and most unwearied philanthropists the world has ever seen. They were the first to enter the crusade against negro slavery, and since that time they have never ceased their efforts in that cause, one of the most eminent of modern American poets is the Quaker Whittier, whose impassioned appeals in the cause of abolition and liberty generally are known to all admirers of American literature. They have been no less zealous in diffusing their opinions against war; and in the improvement of prison discipline, the labours of Elizabeth Fry and others are well known.

Organization of the Society.—The annual meeting at Devonshire House, Bishopsgate, London, is the high court of the Quakers, whence its doctrines are formulated, its practices expounded, and to which is the final appeal in all disciplinary proceedings. The London yearly meeting—the oldest, it is not the largest—exercises authority over Britain. Meeting two hundred and ten years ago first, it met again, after an interregnum, in 1797, since which date the recurring years have regularly brought to London troops of its constituent "Friends." It elects its clerks, reads epistles from co-ordinate meetings on the continent, and hears appeals, and analyses, tabulates, and amends the replies from the smaller meetings which consider the questions meant to ascertain their own compose it to and spiritual state. The meeting has, moral, it brief accounts of the more prompt, also laid before may have died during the year; next members who general epistles of counsel to it, it revises and issues on subjects raised by the subordinate meetings, wings to the society from protests against "extravagant mind; and it appoints them that can engage moral economy of the temperate upon changes in the internal the accounts of the society. It audits the statements of multifariousness of its executive, and has laid before it reports of the progress of philanthropic work. The more closely the society may be divided into "particulars," and "quarterly." The former are one's life, we will, and "quarterly." The latter are choice does not act, several particular meetings; and we might at first sight suppose are comprised within man's habits, his education in the limits of the London in some measure to determine, great Britain—there are held regularly, with a places, &c. The num-

ber of members varies in each meeting from "less than five" to "more than 300," there being, however, only seven with more than 300 members. Contrary to the prevalent opinion, there is a gradual increase in the body, and that from without. There are about 80 monthly meetings, and 20 quarterly meetings. Next to the members are the "attenders"—that is, the class which evinces its approval of the Society's mode of worship by regularly attending its meetings, and which is yearly increasing. Then there is a class of demi-Quaker meetings, mission meetings, where the "service" is on a "Friendly" basis, with the addition of Scriptural readings, and occasionally the singing of hymns. The institutions called "First day Schools" are also numerous, for adults and children. Of these, in various towns, there are about 70 schools, with about 1,500 teachers and 17,000 scholars, nearly all of the latter otherwise unconnected with the Society. In these varied ways it may be assumed that about 60,000 persons are members of or receive spiritual aid from the Society of Friends. The Friends' Foreign Mission Association has an income of about £5,000 a year; it has two centres of missionary operations—India and Madagascar—with about a dozen missionaries, many "evangelists" and teachers, and a Malagasy printing establishment. Renowned since the days of Fox for its care over the education of its members, the Society still deserves that renown. In England alone it sustains eight large public schools, besides others where a higher education is attainable. In the eight schools alluded to about 850 scholars enjoy their advantages. The largest and the oldest school is that at Arkworth, near Pontefract, which, established in 1770, educates 200 children, and has, since its commencement, given a sound English education to about 10,000 children. The chief are over-seers, elders, and ministers. The former have duties somewhat analogous to the stewards of Methodists. They are of both sexes, and number about 750. Of the second class no precise statistics are procurable, and of the third class it may be stated that there are probably 300 recognised ministers, in addition to many others more or less engaged occasionally in the work of the ministry. Of these some are now, or recently have been, engaged in missionary visits to Norway and Denmark, France, America, Australia, and other countries, and frequent are the visits of others to various parts of Britain. The Friends hold it a Christian duty to support their own poor, and to educate their children, and though they do not pay their ministers, they deem it right to defray their expenses when they travel in the ministry. For these purposes they raise the necessary funds by voluntary contributions, at meetings preparative to the monthly meetings. It is contrary to the rules of the Society for one member to go to law with another, and all differences are settled by arbitration.

Extent of the Society.—It is estimated that there are altogether about 150,000 members, of whom nearly 100,000 are in the United States.

American Friends.—About 1877, a schism took place, and the American Quakers are now divided into two organizations—one known as the Orthodox Friends, the other as the Hicksites, from their leader Elias Hicks. The latter claim to hold the doctrines of the early Friends, as expounded by Fox, Penn, Pennington, and Barclay. They do not appear to recognise the doctrine of a vicarious atonement, but explain the necessity for Christ's death by the statement that it was requisite in order to remove the enmity from man's heart. They number about 35,000. In 1853, a society was formed in Chester county, Pennsylvania, by the secession of a number of the Hicksites, who assumed the name of "Progressive Friends." This society disclaims all disciplinary authority, and disavows any intention of binding its members together by agreement as to theological opinions; but "opens its doors to all who recognise the equal brotherhood of the human family, without regard to sex, colour, or condition, and who acknowledge the duty of denoting and illustrating their faith in God, not by assent to a creed, but by lives of personal purity and works of beneficence and charity; and declares that it seeks its bond of union in identity of object, oneness of spirit in respect to the practical duties of life, the communion of soul with soul in a common love of the beautiful and true, and a common aspiration after moral excellence."

FRONDE, *fron-d* (Fr., a sling), in the history of France, is the name of a political faction which sprang up during the minority of Louis XIV., and opposed themselves to the Government of the Prime Minister, Cardinal Mazarin. The people opposed to the court party were called *Frondeurs*, or Censurers, on account of the censures which they passed against the Government; and hence they acquired the name of the Fronde. The despotic policy of the Prime Minister had given offence to all classes of the people; and at length the Parliament rose in open opposition to him, and refused to pass or register his measures. In consequence of this, the cardinal ordered the arrest of the president and one of the councillors on 20th August, 1648. The people of Paris immediately took up arms against the Government, and the following day (*la journée des barricades*) barricaded the streets and compelled the liberation of the two prisoners. Peace was thus in some measure restored; but it was not of long continuance, for the people still continued tumultuous, and in January, 1649, the queen regent removed with her son to St. Germain, charging the Prince of Condé to blockade the city. Among the leaders in the popular cause were the Prince of Condé, the dukes of Beaufort, Nemours, Vendôme, Longueville, the Cardinal de Retz, Marshal Turenne, and many others of the first rank. After some fighting, a truce was concluded on the 11th March, a general amnesty being granted by the queen, and the court returned to Paris in the month of August. In January, 1650, the queen, offended by the conduct of the Princes of Condé and Conti, caused them to be arrested; by which proceeding she roused revolt in the provinces, and Marshal Turenne put himself at the head of the movement. Turenne was defeated at Rhetel, on the 15th of December, and was subsequently gained over by the queen regent. The war was waged by Condé for some time after; but at length, all parties being wearied with these dissensions, the court agreed to remove Mazarin, and a general amnesty was proclaimed, Condé, who refused to be a party to these terms, now finding his cause desperate, entered the Spanish service; while Mazarin after a time returned to Paris, and again obtained the reins of government.

FRONTIER, *front'-yer* (Ital., *frontiera*), is the boundary of a State, or the lands immediately adjoining its boundary. The best frontier is the sea, and the next best great mountains or rivers, as the Alps or Pyrenees, the Rhine or the Rhone. These are termed natural boundaries, as distinguished from artificial or conventional boundaries, or such as are determined merely by treaty.

FUEROS, *fu-ál'-ros*, is a Spanish term, derived from the Latin, *forum*, which signifies a place where justice is administered; and hence, jurisdiction. From this latter sense it came, in Spain, to be transferred to collections of laws; thus the Spanish edition of the ancient "Lex Visigothorum" was called the "Fuero juzgo." From hence it came to be applied specially to the rights conferred by the crown on particular cities, the most famous were the fuero of Leon, and that of Naxera. As these civic rights were chiefly liberties, concessions, privileges, the word *fuero*

came to be specially used in this sense, and to denote, in particular, the entire body of immunities and privileges which composed the constitutions of Navarre, and the three Basque provinces of Biscaya, Alava, and Guipuzcoa. It is in this last sense that the word is now almost exclusively used, the fueros of the other provinces and towns of Spain having long since become extinct.

FUGITIVE, *fu-jit'-iv* (Lat., *fuga*, flight), is a person obliged to fly from his country, or remove from a place where he had some abode or establishment, on account of his crimes, debts, or other circumstances. In the Roman law, a fugitive slave was one that was given to flee or run away from his master; and in selling a slave, the master was obliged to declare whether or not he was fugitive.

FUGITIVE-SLAVE LAW.—A law in existence in the United States, previous to the abolition of slavery, and by which slaves who had escaped into another state or territory must be delivered up, and by which any person assisting a slave to escape or resist his capture, was liable to penalties.

FULMINATION, *ful'-min an-shun* (Lat., *fulmen*, a thunderbolt), is employed in a general sense as synonymous with denunciation; but it is more particularly applied to the anathemas or excommunications hurled from the papal see against offenders.

FUMAGE, *fu'-maj* (Lat., *fumus*, smoke), was the name of a tax formerly levied in England, and vulgarly known as smoke farthings. It was mentioned in Domesday Book, as being paid by custom to the king, for every chimney in the house. It was abolished by 1 Will. and Mary, c. 10.

FUND, SINKING. (*See* NATIONAL DEBT.)
FUNDS, FUNDING SYSTEM. (*See* NATIONAL DEBT.)

FUNERAL. (*See* BURIAL.)

FURIOUS DRIVING. (*See* DRIVING FURIOUS.)

FUTURE DEBT, in Law, is a debt payable at some future and fixed period. Such differ from contingent debts, in that the payment of them is fixed, whereas in the other case payment depends upon some contingency. In the case of the death or bankruptcy of a debtor, future debts are allowed to rank on the estate, interest at the rate of five per cent. being deducted for the period that has to elapse before the debt becomes strictly payable.

FUTURE PUNISHMENT.—Relief in some punishment in another life for the sins committed in this is nearly universal. The differences of opinion among Christians respecting the subject refer to the subject of the character of the punishment and its duration. The great Churches teach that the punishment of the impenitent is eternal. Those who hold different views, and regard the punishment as temporary, and believe in the reform and restoration of the sinner, are known as Restorationists or Universalists.

FUTURE STATE. (*See* IMMORTALITY.)

G.

GABELLE, *ga-bel'* (probably from the Ger., *gabe*, a gift, also a tax), in France, was a term originally applied to any tax or impost laid upon commodities, but which afterwards came to be specially applied to a duty upon salt. This salt-tax was first established towards the end of the 13th century, in the reign of Philip IV., and was finally abolished in 1789. The name *gabelous* is still applied by the common people of France to tax-gatherers.

GAGGING BILL.—The name given to an Act passed in December, 1805, to protect the king and Government from speeches at seditious meetings; and also to the Act for restraining public meetings and certain periodical publications, passed soon after the "Peterloo" affair at Manchester, in 1819.

GALATIANS, ST. PAUL'S EPISTLE TO THE, *ga-lai'-shun*. The name of one of the canonical epistles of the New Testament, written, as is generally supposed, about the year A.D. 57. It is said at the end to have been written from Rome; but this is generally believed to be incorrect. The authenticity of the epistle itself has never been called in question, and is frequently cited by the apostolic and other early fathers. Two journeys of the apostle to Galatia are mentioned in the Acts of the Apostles, and it was probably after the second of these that the epistle was written. Shortly after his departure, Judaizing teachers appear to have come among them, preaching "another gospel" than that of Christ, and to whom they were giving heed. These teachers also endeavoured to subvert the apostle's authority, by attacking his character and asserting that he was not divinely appointed. Paul, therefore, in his epistles, proceeds to controvert these errors. He vindicates his character and asserts his divine appointment and the truth of what he had taught them, declaring that "though we or an angel from heaven preach any other gospel unto you than that which we have preached unto you, let him be accursed." He then proceeds to point out the relationship of Judaism to Christianity; that they are now no longer under the law but under faith, being made the children of God through faith in Jesus Christ; and exhorts them to "stand fast, therefore, in the liberty wherewith Christ hath made us free," and not to be "entangled again with the yoke of bondage." He also exhorts them not to fulfil the lust of the flesh; but to be led of the spirit, the fruit of which is love, joy, peace, &c. Of all Paul's epistles, this most clearly sets forth the liberty of the children of God in the Gospel, in contrast to the bondage of those who remain under the law. The number of commentaries on this epistle are very numerous; among which may be mentioned those of Luther, Winer, Rückert, De Wette, Alford.

GALENISTS, *gai-len'-ists*, the name of a religious sect, a branch of Waterlandians, Mennonites, or Anabaptists, which arose in the 17th century. Their founder was Galen Abraham Huan, pastor of a Mennonite congregation in Amsterdam, who held that all who acknowledged

the divine origin of the Old and New Testament, and led holy and virtuous lives, ought to be received into their communion.

GALLICAN CHURCH, *gal'-le-kon* (from Lat., *Gallia*, Gaul), is the name given to the Roman Catholic Church in France, which, although in communion with the see of Rome, maintains, in some respects, an independent position. It has, from the earliest times, enjoyed certain liberties and immunities, not as grants from the popes, but as forming part of her original constitution, which she has always striven to maintain. These claims led to many disputes and the formation of opposite parties in the Church. In the reign of Louis XIV., a contest arose between that monarch and Pope Innocent XI. regarding the ecclesiastical rights of the crown, which led to the drawing up of the well-known declaration of the French clergy in 1682, which has since been regarded as the charter of Gallicanism. It was drawn up by Bossuet by order of Louis XIV., and contained the four following articles:—(1) Kings and princes are in temporal matters subject to no spiritual power, and the latter can never absolve subjects from their oath of obedience; (2) the Pope is subject to the decisions of an oecumenical council; (3) the power of the Pope is further limited, as far as France is concerned, by the established prescriptions and usages of the Gallican church; and (4) in matters of faith, also, the decisions of the pope are not infallible when not confirmed by the consent of the whole Church. These articles remained valid, and formed the palladium of the Gallican party in the Church till the revolution of 1789, when the Church was formally abolished. Napoleon, as first consul, again established the Church by a concordat, which he concluded with Pope Pius VII. in 1801. Since then the Church has undergone many vicissitudes, and is now more closely allied with that of Rome, as it is no longer a national Church, although receiving an allowance from the Republican government.

GAMBLING, or GAMING, *gam'-ling*, *gal'-ming* (Sax., *gamian*, to play at any sport). Playing at games of chance, or in which chance is united to skill, has been common among most nations, civilized and uncivilized. Tacitus tells us that the ancient Germans were so addicted to it, that, when stripped of everything else, they would stake at last their liberty, and their very lives, the loser going into voluntary slavery, and though much younger and stronger than his antagonist, suffering himself to be bound and sold. In Rome, particularly during the empire, the practice was common, and various enactments were made against it. In England, gaming was early made the subject of penal enactments. In 1845, Act 8 and 9 Vic. c. 100, was passed which greatly facilitated proceedings against common gaming-houses. It enacted that in default of other evidence, it shall be sufficient to prove that a house or place is kept or used for playing therein at any unlawful game; and that it is not necessary, in order to constitute the house a common gaming house, to prove that any person found playing at any game was playing for any money, wager, or stake. Commissioners

of police, or justices of the peace, may also authorize superintendents, without the necessity of an allegation by two householders, to enter any suspected room or house with constables, and, if necessary, to use force for that purpose, and to take into custody all persons found therein; and if any cards, dice, balls, counters, tables, or other instruments of gaming, be found in the room or house, or about the person of any of those found therein, it shall be evidence, until the contrary be made to appear, that it was a common gaming-house. This statute also enacts, that cheating at play is to be deemed obtaining money by false pretences, and is to be punished accordingly. It further provides, that all contracts or agreements, whether by parole or in writing, by way of gaming or wagering, shall be null and void; and that no suit shall be brought or maintained in any court of law or equity, for recovering any sum of money or valuable thing alleged to be won upon a wager. By 16 and 17 Vic. c. 119, "betting-houses" are declared to be within this Act, and a penalty imposed on persons so betting. The Act 18 and 19 Vic. c. 38, enacted penalties and imprisonment against any person attempting to interfere with the constables in the performance of their duty, or obstructing their entrance into any house regarding which there was evidence of its being a common gaming-house. In France, prior to 1836, when the practice was abolished, the exclusive right of keeping public gaming-houses was let out to a company, who paid the government six millions of francs annually for the privilege. Gaming was, until recently, allowed in nearly all the German states, and Hambourg and other fashionable resorts were notorious for "high play." Nearly all the establishments have lately been suppressed. The most notorious place in Europe for gambling is now the principality of Monaco, where the proprietors of the tables pay the reigning sovereign prince large sums for the privilege.

GAME LAWS.—A remnant of the ancient forest laws, by which all game was regarded as the property of the king, and no person had any right to kill such animals unless authorized by royal grant of a chase or free warren. Afterwards, a right to kill game was conceded to such as possessed a sufficient qualification; as, (1) the having a freehold estate of £100 per annum; (2) a leasehold for ninety-nine years of £150 per annum; (3) being the son and heir-apparent of an esquire or person of superior degree; (4) being the owner or keeper of a forest, park, chase, or warren. For unqualified persons transgressing these laws by killing game, keeping engines for that purpose, or even having game in their custody, various penalties were assigned. At length, after much discussion in and out of Parliament, Act 1 and 2 Will. IV. c. 32, was passed, by which the necessity of any qualification for the killing of game was abolished, and the right was made to depend simply on the taking out of a game certificate, for which a certain annual sum was payable. In terms of this Act, every certified person may kill game, subject to the law of trespass. Game is declared to include hares, pheasants, partridges, grouse, heath-game, moor-game, black-game, and bustards; but woodcocks, snipes, quails, landrails, and conies, though not game, are also protected, certificates being required to kill them, unless by the proprietors of warrens, or of

any inclosed ground, or by the tenant of any land, either by himself or any person under his command. Uncertified persons who kill or take any game, or use any dog, gun, &c., for the purpose of searching for, or killing, or taking game, are liable, on conviction before two justices, to a penalty not exceeding £5 for each offence, with additional penalties under any statute or statutes relating to game certificates. Until the passing of 1 and 2 Vic. c. 32, no person was allowed to sell game; but by this act provision was made for granting annual licenses by justices, at a special session to be held in July in each year, for persons to deal in game, for which a sum of £2 is payable annually to government. An annual game-license costs £3, but one for about half a year may be had for about £2. A game-keeper's license costs £2. By 11 and 12 Vic. c. 29, an owner or occupier may, however, kill hares or rabbits on his own inclosed ground, or authorize another to do so, without any game-license. The game laws have long been a subject of discontent, and few unprejudiced persons can view them without coming to the conclusion that they are unreasonably oppressive and severe. Unless there is a special provision to the contrary in the case, a tenant has the exclusive right to kill the game on his holding. The Ground Game Act, to protect farmers from injury to crops, 43 and 44 Vic. c. 47, was passed in September, 1880.

GAOL, or JAIL, *jail* (Fr., *grol*; Sp., *juula*, a cage). (See PRISON.)

Gaol Delivery is a commission directed to the justices of assize, &c., of each circuit, empowering them to try and deliver every prisoner who may be in gaol when they arrive at the circuit town, whenever on before whomsoever indicted, or for whatever crime committed. In this respect their authority differs from that of justices of oyer and terminer, who can proceed only upon indictment found before themselves.

GARBLE, *gar-bl* (Fr., *garber*, to make clean), in Law, signifies to separate or sever the good from the bad, the sufficient from the insufficient. Hence in London the garbler of spices was one empowered to enter into any shop, warehouse, &c., to view and search drugs and spices, and make clean the same, or see that it be done. The office was abolished by 6 Anne, c. 16.

GARDE NATIONALE. (See NATIONAL GUARD.)

GARNISHMENT, *gar-nish-munt* (Nor., *garnisher*, to warn), is a warning or notice given to a party not to pay money, &c., to a defendant, but to appear and answer to a plaintiff-creditor's suit. By the Common Law Procedure Act of 1854, it is declared lawful for any creditor who has obtained a judgment in any of the superior courts, to apply to the court, or a judge, for a rule or order that the judgment-debtor should be orally examined as to any and what debts are owing to him, before a master of the court, or such other person as the court or judge shall appoint; and the court or judge may make such rule or order for the examination of such judgment-debtor, and for the production of any books or documents. If the garnishee, or third party owing money to the judgment-debtor, does not forthwith pay into court the sum due, and does not dispute the debt, the judge may order execution to issue without any previous writ or process: or, if the garnishee disputes his liability, the judge may, instead of ordering an execution,

grant liberty to the judgment-creditor to proceed against him by writ, calling upon him to show cause why execution should not proceed against him for said debt. Payment made by, or execution levied upon, the garnishee, under any such proceeding, shall be a valid discharge to him for such amount, as against the judgment-debtor, although the proceeding may be set aside or the judgment reversed.

GAROTTE, OR GARROTE, *gar-rol* (Sp., *garrote*, a stick or cudgel), is the name given to a kind of capital punishment employed in Spain. The criminal is seated on a stool, with his back to a stake, and formerly death was inflicted by means of a rope passed round his neck and tightened behind with a stick (*garrote*); but now an iron collar is commonly employed, tightened by a screw. The term has recently been adopted in this country, and applied to a mode of robbery, in which one ruffian from behind grasps tightly the victim's throat, so as to prevent him from crying out or making any resistance, while another rifles his pockets. The determination of the judges to pass sentences involving a severe flogging on garroters has made that form of robbery with violence now almost unknown.

GARTER, ORDER OF THE, *gar-ter* (Fr., *jarretière*), one of the most celebrated and ancient of all military orders of knighthood in Europe, was instituted by Edward III. The origin of this decoration is ascribed to a trifling incident which occurred at a ball at which the King and the Countess of Salisbury were present. The countess is said to have dropped her garter whilst dancing. The King picked it up, and tied it round his own leg, but seeing that the Queen appeared to be jealous, and observing some of the courtiers to be smiling, restored it to the countess, with the remark, *Honi soit qui mal y pense*, "Evil be to him who evil thinks;" and he shortly afterwards is said to have instituted the order of the Garter with the above motto, as an incentive to chivalry amongst his knights. Another account states that it dates its origin from the reign of Richard Cœur de Lion, who, during his battles in the Holy Land, ordered his knights to wear a white garter above their knee, to distinguish them from their Saracen foes; and that Richard, on his return to England, instituted the order in commemoration of that circumstance. Still, according to Ashmole, the date of the order is 1344; and, as the first of its statutes is dated 1456, this seems tolerably accurate; whence it follows that it was established in the reign of Edward III. Upon the original constitution of the order, it consisted of the sovereign and twenty-five knight companions. The only alteration which has taken place in this respect, was caused by the statute passed on the 17th January, 1805, whereby it was decreed that the order should consist, thenceforth, of the sovereign and twenty-five knight companions, together with such lineal descendants of George II. as may be elected, always excepting the Prince of Wales, who is a constituent part of the original establishment. Special statutes have likewise been, from time to time, passed for the admission of foreign sovereigns and extra knights; but these are always admitted into the twenty-five companions as soon as vacancies occur. The officers of the order are, firstly, the Prelate, which dignity was first filled by William de Baynston, Bishop of Winchester, and which is now vested in the Bishop of Winchester for the time being; the

office enabling him to take his seat in Parliament next to the Bishop of Durham. The next officer is the Chancellor, who, until the year 1837, was the Bishop of Salisbury; but since the see of Oxford has included Berkshire (and consequently the town of Windsor), the Chancellor is always the Bishop of Oxford. The Registrar, who is dean of Windsor, is the next official; and after these we have the Garter King-at-Arms (which see) and the Usher of the Black Rod. All these officers are bound to attend the chapters of the order held in St. George's Chapel, Windsor, on St. George's day, where the installations of knights are held, and they are sworn to adhere to all the institutes of the order, and to promote its well-being to the best of their ability. Down to the reign of Edward IV., some ladies, as the queen, &c., were admitted to share in the honours of this magnificent fraternity; and the splendid appearance of Queen Phillipa, clad in some of the habiliments of the Garter, is mentioned by Froissart as very imposing. Queen Victoria wears the garter on her arm. The dress and ceremonies are at present exactly as they were when first instituted, with the exception of the alterations above mentioned; and the Garter is still held to be, and will no doubt continue to hold its fame of being, the first order of the kind in Europe in every sense.

Costumes and Decorations.—The peculiar dress which distinguished the order of the Garter from other similar institutions, at its first establishment, was a mantle, tunic, and hood of blue cloth lined with ermine, that of the sovereign differing from the knights by the fur of the lining being of miniver instead of ermine. All these three garments were embellished with garters of blue and gold, and the garter itself was worn under the left knee, and was composed of dark blue velvet, edged with gold, with the motto "*Honi soit qui mal y pense*" inscribed on it with letters of gold; the buckle and pendant were likewise of the same precious metal. Henry VIII. added a collar, composed of pieces of gold worked in the fashion of garters, the centres of each being alternately white and red (alluding to the junction of the York and Lancaster families in the house of Tudor), and these links, or garters, were exactly twenty-six in number, typical of the strength of the order. He also added the greater and lesser Georges, which consist of gold medallions with the figure of St. George and the Dragon thereon in relief. Charles II. made the last alterations, substituting crimson for the surcoat and hood, and a lining of white taffeta instead of ermine. The ribbon by which the medallion of St. George is suspended over the left shoulder is of blue,—whence the expression "receiving the blue ribbon." Instead of being installed a member of the order of the garter,

Garter King-at-Arms, the fourth officer of the order of the Garter, also the principal officer in the College of Arms, and chief of the heralds. He was first elected by the universal consent of all the knight companions in the reign of Henry V. The services which he afterwards performed were previously done by the Windsor Herald-at-Arms, an officer created by Edward III. His dress is the same as that of the other officers, and differs but little from that of the knights of the order.

GAVELKIND, *gav'-el-kind*.—In English Law it is a species of tenure of lands, which is supposed to have been, previous to the Norman conquest, the general custom of the realm, and which is found to this day in Kent, in consequence, it is said, of the success that attended the struggles of the Kentish men to preserve their ancient liberties. The origin of the term is much disputed. According to Coke, it is formed from "*Gave all kind*;" for this custom giveth to all the sons alike; but the more generally received opinion is that it is derived from the Saxon word *gavel*, or *gavel*, signifying rent, or a customary

performance of husbandry service; and hence the land which yielded this kind of service, as opposed to knight-service, was called gavelkind. The chief distinguishing features of this kind of tenure are—(1) that the lands descend not to the eldest, youngest, or any one son only, but to all the sons together; but the issue of a deceased son inherits his share, whether male or female; (2) that the tenant is of sufficient age to alienate his estate by feoffment at the age of fifteen; (3) that the estate does not escheat in case of an attainder and execution, their maxim being "the father to the bough and the son to the plough." In default of sons, the land descends in equal shares to daughters; in default of lineal heirs, the land goes to the brothers of the last holder; and in default of brothers, to their respective issue. The husband is tenant by courtesy of a moiety of his wife's lands, whether there be issue or not, so long as he remains unmarried; and a wife is endowed of a moiety of the lands of which her husband died seized, during her chaste widowhood. Though the lands of Kent have now, for the most part, been *disgavelled* by particular statutes, yet the presumption is still in favour of this species of tenure until the contrary be shown. Gavelkind was abolished in Wales by 34 and 35 Henry VIII. c. 26.

GEHENNA, *ge-hen'-na*.—The Greek form of the Hebrew *Ge-hinnom*, the valley of Hinnom, and used in Scripture to signify hell, or the place of eternal punishment. The valley of Hinnom was a narrow valley or gorge in the neighbourhood of Jerusalem, where the sewage and filth of that city was carried, and where perpetual fires were kept up to destroy the obnoxious matter. In later times it became a favourite place for the celebration of idolatrous rites, and at a part of it, named Tophet, it is recorded that the abominable practice of infant sacrifice was exercised. Hence the terms Gehenna and Tophet came to be synonymous with hell.

GEMARA, *ge-ma'-ru* (Chaldee, *ghemara*, a completion, or complement). (See TALMUD.)

GEMOTE, *ge-mote'* (Ang.-Sax.).—The name of certain moots or courts held at certain times among the Anglo-Saxons; as the shire-gemote, or county court, which met twice a year; the burg-gemote, which met thrice; and the hundred-gemote, which assembled every month. The witen-gemote was the great national council of the Anglo-Saxon kings.

GENDARMES, *shan(g)-darm* (Fr., from *gens d'armes*, men-at-arms).—The name of a body of military police in France, comprising both infantry and cavalry. In the 15th and 16th centuries, the gendarmes constituted the most distinguished cavalry corps in the French army. Afterwards, in 1660, the name was transferred to a squadron of the royal household troops, who constituted a kind of body-guard of the king. In 1793 this corps was abolished, and the name given to a body of police. It consists principally of soldiers taken from the army generally on account of intelligence and good behaviour, and it is regarded as a kind of promotion, as they have better pay, and enjoy greater liberty. The corps still constitutes a part of the army, and is liable, in case of necessity, to be sent on active service. They number about 25,000 men.

GENERAL, *jen'-e-ral* (Fr., *général*).—The name of the highest military rank, with the ex-

ception of that of field-marshal, that can be conferred on officers in the British and continental armies. In the English army, general officers are of three grades—generals, lieutenant-generals, and major-generals. In the French and continental services, the rank of general of division is equivalent to that of lieutenant-general in our service, and that of general of brigade to the rank of major-general. The title came into use in England in the reign of Henry VIII., when the appellation of captain-general was given to the commander-in-chief of the English forces, instead of that of lord-marshal of England.

In the Roman Catholic Church, a general is the supreme head, under the Pope, of the aggregated communities belonging to a religious order. The general of the Jesuits holds office for life. Generals are usually elected by the chapter of the order.

GENERAL ASSEMBLY. (See ASSEMBLY, GENERAL.)

GENERAL ISSUE, in English Law, is a plea which thwarts or denies at once the whole declaration of the plaintiff, without offering any special matter whereby to evade it.

GENESIS, *jen'-e-sis* (Gr., *genesis*, the generation), is the name given to the first book of the Bible, and of the five books of the Pentateuch, on account of its containing a narrative of the generation or production of all things. The Hebrew name is *Bereshith*, "in the beginning," from its commencing with that word. Its history goes back to the very earliest ages of the human race, and extends over a period of at least 2,370 years. It gives an account of the creation, the fall of man, the settlements, genealogies, arts, religion, corruption, and destruction of the antediluvian world; of the repopling and division of the earth, the dispersion of its inhabitants, the calling of Abraham, the rise and progress of the Jewish nation, &c. It is divided into two main parts, one universal and one special; the former being the ancient history of the whole human race, contained in chapters I.—XI., the latter the early history of the children of Israel (XII.—L.). There are some critics who maintain that this book was not written by Moses; and there are certainly some passages of it that must have been written by some one after his death, as they refer to subsequent events; but that the book as a whole was written by Moses, there is little room to doubt. Much ingenious speculation has been expended as to the manner in which Moses was made aware of what had taken place so many centuries before his own time. According to some, the different events recorded in the book were divinely revealed to him; others hold that he acquired his knowledge of them by tradition; and a third class, that he obtained it from old documents. The second of these is the commonly received opinion in this country, and the third is that which is generally maintained by the German theologians of the present day. Neither of these views necessarily militates against the belief in the inspiration of the book; for that divine gift would be necessary to enable him to distinguish the true from the false. We cannot help thinking, however, that if either or both of these had been the sole or only sources whence Moses had drawn his information, there would have been some allusion to, or evidence of, it in the book itself. His knowledge of the latter events may, and probably was, obtained in this way; but we incline to the opinion that

the earlier part of the book must have been the subject of Divine revelation. For those that believe in prophecy, there is nothing hard of belief here; the one being a divine revelation of the future, the other a divine revelation of the past. (Regarding the various subjects of controversy in this book, see CREATION, DELUGE, &c.) The discoveries of Assyrian and Babylonian records have revealed, as in the instance of the Chaldean account of the Flood, remarkable confirmation of the account given in Genesis. That the "cosmogony" of the book is to be accepted literally is denied by astronomers and geologists, the most orthodox of whom suppose that the term "day" is to be taken to mean a long duration of time, or that the geological periods were previous to the act of creation which is described in Genesis. One of the leading arguments in favour of the supposition that Moses (or the compiler of the book, if Moses was not the real author) made use of materials collected previously to his time is that two names of God, Elohim and Jehovah, are used, and that the difference is so systematic that the Elohist chapters can be readily distinguished from the Jehovistic. In our authorized translation the former name is generally rendered "God," and the other "Lord." It is suggested that there were at least two authors of the early narratives, and that each habitually used one form of the Divine name. To this it is replied that the name Elohim, from the Arabic root "to fear" is the simple generic name of God, "the Mighty." It is a plural form and indicates the fulness of all power and all the attributes which the heathen ascribe to their several divinities—even if it does not suggest the doctrine of the Trinity. It is, in fact, a title, rather than a name. Jehovah, on the contrary, is clearly a proper name. A modern writer says, "We may see at once that there may be good reasons for expecting the title Elohim to be chiefly employed in some passages, while the proper name, Jehovah, would be chiefly employed in others. For instance, in the general account of the creation, it is very natural that Elohim—the Mighty One, the God of creation and providence—should be the word in use. But the contrary is the case when the history of the chosen people, or their ancestors, is specially concerned, and the stream of the theocracy flows from its fountain head; then the special name of Him who did not refuse to be called their God would be of more frequent use." The authenticity of the book was distinctly recognised by Christ, and passages from it are cited in the New Testament twenty-seven times literally, and thirty-eight times substantially.

GENET, ORDER OF THE. *genet*.—Charles Martel founded an order of knighthood so named in France, but it has long ceased to exist.

GENII, JE-NEI (Lat.), among the Romans were supernatural beings, corresponding to the demones among the Greeks. According to them, every human being had an genius allotted to him at birth, who guided and accompanied him through life, and conducted him out of the world at the close of his career. But not only persons, but places and even inanimate objects, were fabled to have their genii. The collective Roman people styled their genius, who were sometimes represented as twins. Those of the women were called Junones. Divine

honours were paid to the genii; and it was usual for each one to offer sacrifices to his genius on his birthday. The genii or djins of the East bear little resemblance to those of the Romans. They are regarded as an intermediate class of beings, between angels and men, but inferior in dignity to both; and are not objects of worship. In poetry they are described as having been created out of fire, and as having inhabited this world before its occupation by man, as the subjects of a certain Jân Ibn Jân. They rebelled, and God sent his angel Iblis, or Eblis, who, after conquering Jân Ibn Jân, rebelled against God, and set himself up in his room; whereupon God condemned him to eternal punishment. The djins, like men, are some good and some evil. They eat and drink, are subject to passions and death, but may live for centuries. They are capable of becoming invisible, or assuming the forms of men, beasts, or monsters, at pleasure. We read a great deal about them in "The Arabian Nights Entertainments." The Mussulman doctors believe in the existence of djins, as supernatural beings; but their ideas of them differ much from those of the poets and romancers.

GENS, JENS (Lat.), was a term applied, in ancient Rome, to a clan or party, which included several families under a bond of alliance, whose religious ceremonies, sacrifices, &c., were performed in common. Persons who belonged to the same *gens* were called *gentiles*, and those of the same family were distinguished by the term *agnate*. At first patricians only could have the honour of being *gentes*; but, after the law passed which enabled the plebeians to intermarry with the higher ranks, the latter class likewise were admitted to share in the clanship; and hence there were both patrician and plebeian *gentes*, which, of course, often assimilated, by reason of the intermarriage law.

GENTILE, JEN'-tile (Lat., *gentilis*, from *gens*, a nation), a term used in Scripture to denote a pagan, or worshipper of idols. The Jews classed all the inhabitants of the earth, with the exception of their own peculiar race, under the general name of *gentes*, which is equivalent to the Latin *gentes*, nations; and after a time the term Gentiles began to be applied in a reproachful instead of a general sense. All who were not circumcised and Jews were regarded as Gentiles or heathens, and as such they were excluded as much as possible from all those privileges and relations by which the Jewish nation became so exalted. Those of the Gentiles who embraced Judaism, but were not Jews, were called proselytes; and the term Greeks, which is used often in the New Testament, is sometimes identical with Gentiles.

GENTLEMAN, JEN'-tl-man (French, *gentil-homme*, from *gentil*, of good birth, and *homme*, man).—It is generally applied to all who compose the bulk of the great middle class of English society, consisting of professional men, merchants, and others largely engaged in trade and commerce, and all whose income or education raises them above the lower classes of the trading community. Strictly speaking, gentlemen is the title of one who bears coat-armour, and takes rank next to an esquire and above a yeoman; or, according to the definition given by Jacobs, in the *Law Dictionary*, "one who, without any title, bears a coat of arms, or whose ancestors have

been freemen; and by the coat that a gentleman giveth he is known to be, or not, descended from those of his name that lived many hundred years since." It may therefore be said, with truth and justice, that one who inherits the right to bear coat-armour from his father, and his mother if she be an heiress, is *bona fide* a gentleman by indisputable right, and, if it were worth while to contest the point, is entitled to take precedence of all others to whom the title is conceded in virtue of their professional standing, income, or education. The original derivation of the word is from the Latin *gentilis*, belonging to a tribe or *gens*. The term has been adopted in all European languages of which Latin forms the foundation-stone and parent stock; while it is found in our own language in the word "gentleman," and gives the clue to the meaning of the expression "gentle," well-born, in contradistinction to its opposite "simple." By an application of the principle, *noblesse oblige*, that is, the obligation on a man of high station and distinguished lineage to be worthy of his position, a gentleman is presumed to be brave, sincere, chivalrous, tender, and true; hence the word is applied in a secondary and popular sense to a man exhibiting those high qualities, whatever his station in life.

GENTLEMEN-AT-ARMS, a band of fifty gentlemen who were enrolled by Henry VIII. in the year 1509, to attend strictly about the royal person. They were first denominated "spears," but were afterwards called "gentlemen pensioners," which name they bore until the year 1834, when they were called gentlemen-at-arms. The members are elected exclusively from officers in the army or navy, who enjoy their half-pay at the same time that they receive their pension as gentlemen-at-arms. The officers are a captain, who has £1,000 per annum; a lieutenant, with a salary of £500; a standard-bearer, with £210; a clerk of the cheque with £120; and forty gentlemen with £70 per annum each. The duty of the gentlemen-at-arms, in the present day, is principally to attend at drawing-rooms and levees. Their uniform is military, and very similar to that of the foot-guards.

GENUFLECTION, *je-nu-flek-shun* (Lat., *genu*, a knee, and *flecto*, to bend), the act of kneeling or bending the knee. The attitude is adopted in part of the services of the Roman Catholic and Anglican Churches.

GERMAN CATHOLICS, *jer-man kath-o-likes*.—The name of a religious sect which has recently been formed in Germany, by secession from the Roman Catholic Church. It originated in a proclamation of a special pilgrimage and service by Bishop Arnoldi, of Treves, to the holy coat of that city, to be accompanied by remission of sins. This proceeding called forth a letter from Johannes Ronge, an excommunicated priest of Silesia, dated 1st October, 1844, characterizing it as an idolatrous festival, and calling upon the bishop to suppress it. A short time before, another Catholic priest, Johann Czerski, of Schneidemühl, in Posen, had seceded from the Roman Church, and attempted the foundation of an independent Christian congregation. The letter of Ronge met with many sympathizers, and a union having been effected between him and Czerski, a number of congregations sprang up in a very short time, calling themselves German Catholics. The "Confession of Schneidemühl," drawn up by Czerski, October 29, and presented

to the Government October 27, 1844, rejected as unscriptural, and as merely human ordinances, the reception by the priests alone of the Lord's Supper in both kinds; the canonization and invocation of the saints; indulgences and purgatory; fasting; the use of the Latin language in divine service; mass and vespers; the celibacy of the priests; the prohibition of mixed marriages; the supremacy of the Pope, and other points. They declared themselves determined to sever their connection with the Pope, to receive the Lord's Supper in both kinds, and to recognise the Bible as the only rule of faith. They retained the seven sacraments and the mass, which they celebrated in the vernacular tongue. The "Confession of Breslau," which set forth the views of Ronge, proceeded farther than that of Schneidemühl—claiming free investigation of the Bible; and freedom of belief for every individual member. It regarded as essential doctrines only—belief in God, the creator and governor of the world; in Jesus Christ, as having, by His doctrine, His life and death, redeemed men from sin and misery; and in the influence of the Holy Spirit upon earth. Of the sacraments of the Catholic Church, it retained only baptism and the Lord's Supper. A council met at Leipzig on the 22nd of March, 1845, in which Ronge, Czerski, and the delegates of twenty congregations took part; and a new creed was adopted, based principally upon the Confession of Breslau. After that time the principles of German Catholicism spread very rapidly, being adopted not only by many Roman Catholic priests, but also by many Protestant clergymen and laymen. At the end of 1845, they comprised about 300 congregations; but subsequently German Catholicism has been on the decline, partly on account of internal dissensions, and partly from oppressive measures adopted against them by the governments. Many congregations have been disbanded, while others have gone over in a body to the Protestant Church. A conference was held at Gotha, September 10, 1858, at which, however, only forty-two representatives were present.

Ghibellines, *gid-bel-lines*. (See GUELPHS AND Ghibellines.)

GIANT, *ji-ant* (French, *giant*, from Latin, *gigas*). In the Old Testament the name of giant is applied to several races of men; but the appellation probably refers more to violence and physical power than to stature. The Anakims and some other tribes seem, however, to have been distinguished from other races by their superior strength and proportions. There are several instances in the Scriptures of individual giants; such as Og and Goliath. The height of the former is not mentioned; but the latter, at least, did not exceed 8½ feet in stature. In the mythology of all the Indo-Germanic nations, giants held a marked position. Amongst the Greeks, they were represented as hideous beings of monstrous size, having the tails of dragons, and living in volcanic districts, to which they had been banished after their war against heaven. In the mythology of northern nations, giants also play a still more important part.

GIFT, *gift* (Sax., *gift*; Lat., *donum*, *donatio*), in Law, is the transferring of the right and possession of a thing by one man to another, voluntarily and gratuitously. In this latter respect, gifts are distinguished from grants, which are always made upon some consideration

occur several times in the sacred Scriptures. In Gen. x. 2, Magog is mentioned as one of the sons of Japheth; in Ezek. xxxviii., xxxix., the prophet is told to set his face "against Gog, the land of Magog, the chief prince of Meshech and Tubal, and prophesy against him;" and in Rev. xxi. 8, Satan is represented as going forth "to deceive the nations, which are in the four quarters of the earth, Gog and Magog to gather them together to battle." Among Christians, the terms have been used as nearly synonymous with Antichrist, and in a general sense to include all nations hostile to Christianity.

GOLDEN AGE, *gold-en-ay*, a time set down in the mythologies of nearly all countries as having existed at some very remote period of antiquity, when the earth was the common property of all, and produced everything necessary to man without cultivation; when good prevailed and evil was unknown. The Greeks and Romans believed that the earth became gradually degenerated from its first establishment, and that three ages, of gold, of silver, and of iron, were to exist successively, and had existed each in their turn, until the last, at the end of which all things would be changed, and the golden age once more resume its interrupted sway.

GOLDEN BULL. (See BULL, GOLDEN.)

GOLDEN FLEECE, ORDER OF.—

A famous order of knighthood, founded at Bruges in 1429, by Philip III., Duke of Burgundy and the Netherlands, on the occasion of his marriage with Isabella, daughter of King John I. of Portugal. The order was instituted for the protection of the Church. The order now exists in Austria and Spain, but the decorations differ slightly in the two countries. The costume is a long robe of deep red velvet, and a mantle of purple velvet, lined with white satin. The cap is of purple velvet, embroidered with gold. The insignia are a golden fleece hanging from a golden blue-enamelled stone.

GOLDEN NUMBER.—This number, sometimes called the Prime, is that by which any year is numbered in the particular cycle of nineteen years in which it is included. It is said to be so called because it was distinguished in almanacs of former days by being put therein in letters of gold. It is used in determining the day of the year on which Easter falls. (See EASTER, METONIC CYCLE.) To find the golden number for the year current, add one to the date of the year, and then divide by 19;—the remainder will be the golden number for the year; but if there be no remainder, then 19 will be the golden number. Thus the golden number for the year 1852 is 3.

GOLDEN ROSE.—A rose formed of wrought gold, and blessed with much solemnity by the Pope on Midlent Sunday. It is usually presented as a mark of special honour to some Catholic prelate.

GOMMETS. (See HICKORYMETS.)

GOOD FRIDAY is the name given to the Friday before Easter, the anniversary day of our Saviour's crucifixion. It is termed good as denoting the benefits which have flowed from Christ's death; and it has been observed as a sacred day from the earliest ages of Christianity. In the Roman Catholic Church this day is observed with much ceremony. The altar is clothed, and the

elements are not consecrated on this day, but the day before; the priests and attendants are robed in black, in token of mourning; the usual acclamations and doxologies are omitted; no bell is rung; the altar is stripped of its ornaments; hence bow the knee in prayer, because in this way the Jews reviled Christ; the kiss of charity is omitted, because Judas betrayed his master with a kiss. The adoration of the cross, or, as it was anciently called in England, "creeping to the cross," is observed on this day; all the congregation approaching, and upon their knees kissing, a figure of our Saviour upon the cross, placed upon the altar. The offices called *Tenebre* (darkness) are sung on this day, as well as upon the day preceding and succeeding. It is so called from the lights of the church being for a time extinguished, to symbolize the darkness at our Lord's crucifixion; and nearly at the end of the service, and amid solemn silence, there is a tremendous noise, to denote the rending of the veil of the temple. In the English Church Good Friday is also observed with great solemnity; in English law the day is considered as a Sunday; but in Scotland no particular attention is paid to the day. The practice of eating "cross buns," which is generally observed in England, is a remnant of Roman Catholic times, though it has now no religious import.

GOODS AND CHATTELS. (See CHATTELS.)

GOODS, FINDER OF. (See FINDER OF GOODS.)

GOODS IN COMMUNION, in the law of Scotland, are the movable subjects belonging in common to husband and wife. They comprehend all the movable property belonging to either of the parties, except such as have been given to the wife expressly, excluding her *jus pariti* and the wife's paraphernalia, regarding which there is an implied exclusion of the *jus pariti*.

GOPHER WOOD, *go'-fer*.—A wood mentioned once in the book of Genesis, and supposed to be the cypress.

GORHAM CONTROVERSY.—An ecclesiastical dispute arising from the refusal, in 1849, of the Bishop of Exeter to institute the Rev. Cornelius Gorham to the vicarage of Bampford, Speke, on the ground that he was of un-sound doctrine on the subject of baptismal regeneration. The Arch-bishop supported the bishop, maintaining that baptismal regeneration was the doctrine of the Church of England, and that as Mr. Gorham had avowed a different opinion, the Bishop was right in refusing to institute him. The judgment was reversed on an appeal to the judicial committee of the Privy Council, and Mr. Gorham was instituted.

GOSPEL, *god'-pel* (Gox, good news; Gr., *euangelion*), denotes the good news of the coming of Christ, and is, by Christians, employed to signify the whole doctrine of the Christian religion—more particularly the books containing an account of the life of Christ—i.e., those of Matthew, Mark, Luke, and John, are termed the Gospels. There exist a number of apocryphal gospels, which, however, have generally been rejected by the Church, and which abound with absurd and improbable stories regarding the life of Christ, so as to leave no doubt as to their spuriousness. The authenticity of the four

gospels rests upon the clearest evidence. In the latter half of the 2nd century Irenæus refers to and describes the four gospels as being inspired, and handed down in order to be the foundation and pillar of the Church. None of the other gospels were received by the fathers as being of Divine authority during the first three centuries.

GOTHS, *goths* (Lat., *Gothi*, *Gothones*, *Gutones*), the name of an ancient people of Germany, who in early times inhabited the coast of modern Prussia, from the Vistula as far as Braunsberg, or Heiligenbeil. The origin of this people has not been ascertained with any degree of certainty. It is generally believed that they once inhabited Scandinavia, a belief that is both supported by tradition and by the names of places there. The opinion further is, that they came from the south at a period long anterior to historic records. In the 3rd century they are spoken of as a powerful nation on the coasts of the Black Sea. In that and the following century, they figure largely in the history of Europe. About 369 A.D. internal commotions produced the division of the great Gothic kingdom into the kingdom of the Ostrogoths, or Eastern Goths, who inhabited the shores of the Black Sea, from the Don to the Dnieper; and the Visigoths, or Western Goths, who occupied Dacia, from the Dnieper to the Danube. About 375 the Huns invaded Europe from the east, and the Visigoths implored the protection of the emperor Valens, and leave to settle on the east bank of the Danube, which was granted them. Ostrogoths being refused admission into the Roman territory, took refuge in the mountains. The oppression of the Roman government soon drove the Visigoths to rebellion, and in the war which ensued, they completely defeated the Roman army at Adrianople, in 378, and the emperor Valens himself lost his life. They soon became so numerous and powerful, that the court of Constantinople saw no other way of securing itself against their attacks than by making them an integral part of the empire. After many vicissitudes, the Ostrogoths also obtained a settlement in Pannonia and Sclavonia, but not till the destruction of the kingdom of the Huns in 453. The Visigoths, in process of time, obtained a degree of power which excited the alarm of Greece and Italy. In 406 Alaric made an irruption into Greece, laid waste the Peloponnese, and became prefect of Illyria and king of the Visigoths. He invaded Italy about the beginning of the 5th century, and by that measure brought on the destruction of the Roman empire. In 473, the Goths quitted Italy; the south of Gaul having been given up to them; and after having remained there for a short time they crossed the Pyrenees and took possession of a large part of Spain. The kings of the Goths extended their empire, both in France and Spain, and during the latter part of the 5th century it had reached the highest point of its prosperity, its capital being Toulouse. After the fall of the Western Roman empire, by the invasion of Clovis, in 476, the Eastern emperor, Zeno, persecuted Theodoric, king of the Ostrogoths, to invade Italy in 480. He was successful, and established the kingdom of the Ostrogoths in Italy. Theodoric reigned for thirty-three years, and greatly strengthened his power and extended his kingdom; but, after his death, disputes arose as to his successor, and the country became embroiled in civil dissensions. Justinian, the Eastern emperor, in

order to profit by these disorders, dispatched Belisarius to Italy in 526, who took possession of Rome, and, gaining the admiration of the Goths, was invited to become their king. This, however, he refused, but held the people in subjection to his master. Totila, a noble Goth, rebelled, and made himself master of southern Italy. He was about to destroy Rome, but listened to the remonstrances of Belisarius, that it would add more to his honour to spare it; and contented himself with dispersing the inhabitants, and reappearing it before the arrival of a fresh army from Constantinople under Narses. Totila fell in battle, and his successor, Theias, shared the same fate; Italy was reconquered, and the Gothic monarchy, established by Theodoric, ceased to exist, 554. The Goths, originally savage and barbarous, had become civilized and enlightened before the time of Theodoric. This prince is much praised for his moderation, integrity, and love of justice. The public buildings of the city were kept in repair, and overseers were appointed to look after them, and to guard the statues. He was also distinguished in some degree as a patron of the fine arts, sciences, and learning. Religious liberty was accorded to all; and there is said to have never been in Italy a better administration than that of Theodoric. The Visigoths were the first of all the German tribes to have a written code of laws, which was drawn up in the 5th century, half a century before that of Justinian.

GOVERNMENT, *gub-ern-ment* (Ang.-Ner.).—A word employed to denote either the particular forms under which a state is governed, the collective body of its laws, or the person or persons in whom the supreme power is vested. There are three distinct forms of government—a monarchy, in which the supreme power is in the hands of one person; an aristocracy, in which it is vested in a privileged minority; and a democracy, in which it is exercised either directly or indirectly by the great body of the people. The mixed form of government is that which combines all, or at least two, of these forms, and is an attempt to combine the good qualities of each, and to guard against their evil tendencies. Every government comprises within itself three distinct powers—the legislative, judicial, and executive. In its legislative capacity, it lays down the laws by which its subjects are to be governed; its judicial power is exercised in deciding, by means of various courts and judges, all questions connected with those laws; and its executive power is carrying out or putting into execution its legislative enactments and judicial decisions. (See ARISTOCRACY, DEMOCRACY, MONARCHY, &c.)

GOVERNOR, a high official appointed to represent the home government in a colony or distant possession, and usually combining military with political authority. Officials of more limited powers and lower rank are sometimes styled governors, as "governors of jails," &c.

GRACE, *grace* (Lat., *gratia*, Gr., *charis*), a term frequently used in Scripture, and by theological writers. In its most general significance, it is employed to denote the love and favour of God towards mankind; more particularly in His sending His son Christ Jesus to die for sinners. It implies that the gift springs from the bounty and liberality of the giver, without any claim or merit on the part of the recipients. It is also employed to designate the influence of the

Divine Spirit upon the mind, by which an individual is brought to receive the truths of Christianity; and hence, when an individual has been brought into that condition, he is said to be in a state of grace. It is also used to signify the Gospel dispensation, as distinguished from the legal; as when the apostle Paul speaks of our being "no longer under the law, but under grace." The nature of grace has been one of the most fruitful sources of controversy in the Church, giving rise to much bitterness of feeling. Some theologians assert that there are two kinds of grace—common and special—the first, that which is extended to all men; the other, only to the elect, by which they are saved from their sins.

GRADUAL, *grad-u-al* (Lat., from *gradus*, a step).—In the liturgy of the Roman Catholic Church, the term is applied to the few verses of the Holy Scriptures, generally the Psalms, which are chanted after the reading of the Epistle, in the service of the Mass. It was formerly known as the *Responsium*. The present name was given because the priest, during the time, is on the steps of the altar.

GRADUAL PSALMS.—A name sometimes given to the fifteen Psalms, cxx.—cxxxiv. known as the "Psalms of the Steps," or "Songs of Degrees." (See *PSALMS*.) In the Roman Catholic Church, these Psalms are chanted each Wednesday in Lent. The accompanying music is known as *Graduale*.

GRAF, *graf* (Ger.), a title of nobility which corresponds in Germany with our English count. The first mention of this particular grade of nobility occurs in the 5th century. There are two classes of grafs in Germany at the present time, the first forming a section of the highest and oldest nobility, and the second representing the higher order of the lower nobles.

GRAND COUTUMIER OF NORMANDY, *lee-toe-mee-ee*, is the name of an ancient collection of the laws of Normandy. It is said to have been compiled in the third year of Henry II. The islands of Jersey, Guernsey, Alderney, &c., which formerly belonged to Normandy, but were united to the English crown by the first princes of that line, are still governed according to the laws of *le grand Coutumier*.

GRAND DAYS, in Law, are those days in the terms which formerly were solemnly kept in the halls of court and chancery—viz., Candlemas-day in Hilary, Ascension-day in Easter, St. John Baptist's day in Trinity, and All Saints' day in Michaelmas—all *dies non-judicis*; but now the Grand Days are fixed by the barristers, as the old days do not fall within the modern terms. Previous to the middle of the last century, the days were observed with great ceremony and with revels and banquets.

GRANDEE, *gran-dee* (Sp., *grande de España*), is the name of the highest rank in the Spanish nobility. The collective body of the grantees is called *la gran-dee*. To this class belonged that very powerful section of the nobility who, from their great wealth, were called the *ricos hombres* (rich men). The grantees were originally the descendants of the great feudatories of the crown, and were possessed of many important privileges. Cardinal Ximenes succeeded in breaking their power and depriving them of many of their privileges. Subsequently the

the practice of the Spanish kings to raise new men to the rank of grantees, partly with the view of destroying the power of the ancient nobility, and partly to reward their friends. In this way three classes of grantees arose, differing in rank as well as in the privileges which they enjoyed. Under the government of Joseph Bonaparte the dignities and privileges of the grantees were entirely abolished, but they were partially restored at the restoration. There are very few of the old families now extant in the direct line.

GRAND JURY, in Criminal Jurisprudence, is a body of good and sufficient men, whose business it is to examine into the charges of crimes brought before them at assizes or sessions; and if satisfied that there is sufficient cause, they return a bill of indictment against the accused, upon which he is afterwards tried by the petty jury. The grand jury are first instructed in the articles of their inquiry by a charge from the judge who presides on the bench. They then withdraw to sit and receive indictments, which are preferred to them in the name of the queen, but at the suit of any private prosecutor. They are only to hear evidence on behalf of the prosecution, for they are only to inquire whether there be sufficient cause to call upon the party to answer it. For grand jurors at assizes, no qualification by estate is necessary; at sessions, the qualification is the same as that of the petty jury. (See *JURY*.)

GRAND PENSIONARY.—The title given to the Syndic or governor of the province of Holland in the United Netherlands. He is possessed of great influence and power as the first magistrate of the first of the United Provinces. He is elected for five years, and generally on the expiration of that term re-elected. The office was abolished in 1795, when the French Revolutionists conquered Holland.

GRAND SERJEANTY (Lat., *magnum servitium*, great service).—A tenure by which the tenant was bound, instead of serving the king generally in the wars, to do some special honorary service to him in person; as to carry his banner, his sword, or the like; or to be his butler, champion, or other officer at his coronation. It was the most honourable of the ancient feudal tenures, being held of the king; the like tenure held of a subject was only knight-service. Tenants holding by grand serjeanty were not bound to pay aid or esnage, as was the case in knight-service. Tenure by *corroage*, which was to wind a horn when the Scots or other enemies entered the land, in order to warn the king's subjects, was a species of grand serjeanty. This tenure was preserved by Charles II. c. 4, which abolished the other feudal tenures, and still subsists in some cases.

GRANT, *grant* (Nor., *grantei*, to grant; Lat., *concessio*), in Law, was originally a conveyance in writing of incorporeal hereditaments; but by 8 and 9 Vic. c. 106, it is enacted that estates, corporeal, as well as incorporeal, may be conveyed by grant.

GRASS.—By the law of England, the grass growing on land belongs to the person entitled to the soil, and at his death goes to the heir, and not to the executor.

GRASSUM, *graw-sum*, in Scots law, is the gross rent paid in anticipation of possession for a

doctrinal basis of the Greek Church, but for various reasons keep aloof from it. The Greek Church predominates in all Russia, European Turkey, Greece, the Ionian islands, and Montenegro. In Turkey, the patriarch of Constantinople has not only spiritual, but also a kind of temporal jurisdiction, as he is regarded by the Turkish law as the head of the Greek Christians, who have to pay him a yearly tribute.

Russian Greek Church.—This Church asserted its independence on the fall of Constantinople, in the middle of the 15th century, when a patriarchate was established at Moscow. The patriarchate was abolished by Peter the Great who organised a supreme court for the regulation of spiritual matters, to sit at the new capital of St. Petersburg. Since that time the Church of Russia has been virtually controlled by the Czar. The *United Greek Church* is a section of this body, which, by the continued efforts of the Roman Church, were induced to acknowledge the supremacy of the pope, while they, on the other hand, were permitted to abide by all the peculiar usages of the Greek Church which did not affect fundamental doctrines; as the use of the Greek language in divine service, the reception of the Lord's Supper in both kinds, &c., &c. In Russia, almost all the members of the United Greek Church were induced, under the reigns of Catherine II., and Nicholas, to dissolve their connection with the Church of Rome; and at present this section of them is most numerous in Austria.

GREEK PHILOSOPHY.—The philosophy of ancient Greece is important, as being the great source of all subsequent speculation. It is usual to divide the history of Greek philosophy into three periods—its youth, its maturity, and its decline. The first period extends from the time of Thales to that of Socrates (550 to 400 B.C.), and is characterised by a striving after a knowledge of the ultimate causes of nature and liberty, in which reflection was not yet systematized nor separated from poetry. The Greek mind elevates itself through poetry to philosophy. The theogonies, cosmogonies, and games formed the introduction to philosophy, and connected it with religion. The great subject of inquiry was respecting the origin of nature and the original matter of the world. The earliest of the schools was the Ionian, beginning with Thales, who held that water was the original element whence all things proceeded. Among his followers were Anaximander and Anaximenes; the latter of whom regarded air as the primary element of all things. The Italian, or mathematical school, was founded by Pythagoras, who was distinguished by his knowledge of the mathematical sciences, and defined numbers to be the principles of all things. The Eleatic school, so called from Elea, in Italy, from finding creation incomprehensible, pronounced experience a mere appearance, and endeavoured to determine the nature of things merely from notions of the understanding. Xenophanes, Parmenides, Melissus, and Zeno belonged to this school. Opposed to the Eleatic was the Atomist school, the head of which were Leucippus and Democritus. They asserted the external world to be real, and all things to be made up of minute atoms, indivisible, and impenetrable, owing to their extreme tenuity. From these contending schools arose the class of the Sophists, who, being skilled in the art of dialectic and rhetoric, distinguished themselves as disputants, and pretending to universal knowledge, they entirely undermined all earnest striving after truth, and destroyed the difference between truth and error. The chief of the sophists were Gorgias, Protagoras, Prodicus, Hippocrates, Hippias, Thrasymachus,

and Callicles. The sophists compelled their antagonists to seek for some solid foundation on which philosophy might take its stand, and introduced the second period of its history, which begins with Socrates. The earnestness and thoroughness of Socrates opposed itself to the shallowness and flippancy of the sophists. From looking merely at external nature, he taught man to look inwards upon himself. His system was more practical than speculative, regarding the great object of philosophy to be the attainment of correct ideas respecting man's moral and religious obligations, and the perfection of his nature as a rational being. Among the followers of Socrates, who especially devoted themselves to the pursuits of philosophy, were Antisthenes the Athenian, founder of the Cynic school; Aristippus, chief of the Cyrenaic, and Pyrrho, gave their attention exclusively to questions of morals, and their practical application; while Euclid of Megara, Phædo of Elis, Menodæmus of Eretria, were occupied with theoretical or metaphysical inquiries. The more comprehensive genius of Plato embraced at once both these topics, and attempted to build up a complete and connected system of philosophy. (See **PLATONIC PHILOSOPHY**.) His scholar Aristotle, characterised by a great knowledge of nature, as well as by great logical and reflective powers, became the founder of the Peripatetic school. (See **ARISTOTELIAN PHILOSOPHY**.) The Cynical school finally merged in that of the Stoics, and the Cyrenaic in that of Epicurus. From this time (about B.C. 300) dates the commencement of the third period of the history of Greek philosophy—that of its decline.

GREEK THEOLOGY AND MYTHOLOGY.—It is now generally accepted by students that the early religion of the Greeks may be traced to the early inhabitants of the region north-west of India, whence sprung the Pelasgic or Hellenic race. There was a belief in a Divinity, an "unknown God," and in minor deities, known as "great ones," or "merciful ones." This comparatively simple form of natural theology was superseded by a "localized" or Olympian system, of which anthropomorphism (or the representation of the Divine, as possessed of human shape and properties), was the predominant element. Mount Olympus was supposed to be the dwelling of the gods, of whom Zeus was the greatest. Beauty, valour, wisdom, poetry, and arts had their representative embodiments. It seems impossible to doubt that the great phenomena and forces of the universe were to some extent symbolized in the mythology. Zeus represented the mysterious power of the heavens; Poseidon the waters; Phœbus, the sun (and by analogy, intellectual light); Aphrodite, the beauty which pervades all. Of this Olympian religion, Mr. Gladstone says: "Its strength lay in its beauty, and probably we could not name, in all human experience, a more signal instance of the vast power of the imagination than is to be found in the long life and the extended influences of the Greek religion. It found a way to the mind of man through his sympathies and propensities. Homer reflected upon his Olympian ideas, passions, and appetites, known to us all, with such a force that they became with him the paramount power in the construction of the Greek religion. This human element gradually subordinated to itself all that it found in Greece of traditions already recognised, whether primi-

tive or modern, whether Hellenic, Pelasgian, or foreign. The governing idea of the character of deity in Homer is a nature essentially human, with the addition of unmeasured power." In another passage Mr. Gladstone says:—"During twelve or fourteen hundred years, it was the religion of the most thoughtful, the most fruitful, the most energetic portion of the human race. It yielded to Christianity alone. . . . The Olympian religion, however, owes perhaps as large a share of its triumphs to its depraved accommodations as to its excellencies. Yet an instrument so durable, potent, and elastic must certainly have had a purpose to serve. Let us consider for a moment what it may have been. We have seen how closely, and in how many ways, it bound humanity and deity together. As regarded matters of duty and virtue, not to speak of that highest form of virtue which is called holiness, this union was effected mainly by lowering the divine element. But as regarded all other functions of our nature, outside the domain of life, and God-ward, all the functions which are summed up in what St. Paul calls the flesh and the mind, the psychic and the bodily life, the tendency of the system was to exalt the human element, by proposing a model of beauty, strength, and wisdom, in all their combinations, so elevated that the effort to attain them required a continual upward strain. It made divinity attainable, and thus it effectually directed the thought and aim of man 'along the line of limitless desires.'" That was the Olympic religion of the poets and cultured minds. It became debased to the low level of the popular intelligence; and the Olympic gods and goddesses were credited with the violence and depraved sensuality of the mass of the people. Innumerable minor deities, of springs and woods, presiding over the arts of semi-civilization, assumed the pantheon of the gods, and heroes became demi-gods, as rewards for their achievements while in the world. In course of time the Greek mythology was superseded by that of the Latin race; and Romans borrowed the Greek divinities as they adopted Greek literature and philosophy. The names were changed—Zeus became Jupiter; Heres, Juno; Aphrodite, Hermes; Athena, Minerva; and Phœbus, Apollo—but the attributes were nearly the same.

GREEN CLOTH, BOARD OF, is a court of justice connected with the royal household, sitting under the lord high steward, and attended by various officers of the household. It has the charge and supervision of the royal household in all matters of justice and government, with power to take cognizance of, and adjudicate upon, all offences committed within the verge of the palace, and two hundred yards beyond the gates.

GREENWICH HOSPITAL, *grin-it*.—A large building near London formerly a home for aged and disabled sailors. A palace was built at Greenwich in 1433, and afterwards became royal property; but disappeared in the Commonwealth times. After the Restoration Charles the Second began the erection of a new and far more splendid palace, of which Webb, the son-in-law of Inigo Jones, was the architect. This work was stayed by want of funds; but William and Mary made extensive additions, and established the building, under letters patent of 1694, as a home for superannuated seamen. The hospital consists of four extensive piles of build-

ings, or wings, entirely detached from each other, but at the same time so connected by the conformity of their dimensions, figures, and the general arrangement of their decorations, as still to constitute a complete whole. The principal front of this structure, which is nearly all of Portland stone, is towards the Thames, on the north. The north-west angle is occupied by King Charles's building, the north-east by Queen Anne's, both of them lying next the river; and the posterior wings, towards the south are formed of King William's building on the west and Queen Mary's on the east. The two northern wings are separated by a square, in the middle of which is a statue of George II., sculptured by Rysbrack, out of a single block of white marble. Extending 865 feet along the front, the intervening band of the Thames is formed into a terrace, with a double flight of steps to the river in the middle. Queen Mary's building comprises the chapel built from the designs of Stuart, on the site of a former edifice, destroyed by fire in 1709. King William's building contains the great hall, vestibule, and dome, designed and erected, between 1698 and 1703, by Sir Christopher Wren. The great hall, or "Painted Hall," 106 feet long, 65 feet wide, and 56 feet high, was decorated by Sir William Thorburn, who was engaged for nearly twenty years on the walls and ceiling. In the hall and vestibule is a uval gallery of pictures, statues, portraits, models, and relics. The Hospital contained dormitories and dining-halls for about 2,700. In 1732, the forfeited estates of the Earl of Derwentwater were made over to the Hospital. In 1865, the institution ceased to exist as an asylum, the funds being distributed as out-pensions to about 12,000 old or disabled seamen. Five years afterwards a portion of the building was converted into a Royal Naval College.

GRENADIER, *gren-a-dier*, the name formerly given to any soldier belonging to the infantry or cavalry who carried grenades. Grenadiers were introduced into the French service in 1667, and into the English service by Charles II., about 1684. At first only two men were selected and trained as grenadiers from each company of the two English regiments of foot-guards that were then in the service; but shortly after there were two companies of grenadiers to each of these regiments, while horse grenadiers were attached to the regiments of life-guards and horse-guards. Until a few years ago, a grenadier company, consisting of the tallest men in the battalion, formed a part of every regiment of infantry, which took the right when the regiment was in line, and marched first when in column. Although they retained the name, they did not perform the duties that were originally assigned to grenadiers. (See GUARDS, GRENADIER.)

GREYNA GREEN MARRIAGES, *grei-na*.—A class of irregular marriages which were formerly very common, and took their name from the village of Greytna Green, on the borders of Scotland. They originated in the greater laxity admitted by the law of Scotland than by that of England on the subject of marriage. In Scotland a marriage may be contracted by a mutual declaration to that effect by the two parties in the presence of witnesses; and hence it was largely taken advantage of by runaway couples from England; the rule being, that a marriage is valid in England if contracted according to the law of the place in which it was

solemnized. Gretna Green being the most convenient place on Scotch ground for parties from England, the marriages usually took place there; but they were also celebrated at Springfield, Annan, Coldstream, and other places along the border. At Gretna Green and the other places there were usually one or more persons who took upon themselves the duties of the priest, and in whose presence the declaration was made. The marriage service of the Church of England was sometimes read, in order to please the parties. The marriages effected in this way were at one time estimated as high as 500 a year. The practice, however, has virtually been put a stop to by 19 and 20 Vic. c. 96, which declares that no valid marriage can be contracted in Scotland unless one of the parties had lived in Scotland for twenty-one days next preceding such marriage.

GREY ADMINISTRATION.—Earl Grey succeeded the Duke of Wellington as First Lord of the Treasury on the 16th of November, 1830. The ministry, having carried the Reform Act, and other important measures, resigned on the 9th of July, 1834.

GREY FRIARS. (See FRANCISCANS.)

GROOM OF THE STOLE, *groom* (from Flemish, *grom*), a great officer of the royal household, who has control over all the duties pertaining to the bedchamber (the only portion of the royal chambers wherein the lord chamberlain has no authority.) He does not take any fixed turn of duty, but attends only on state occasions. Stole signifies a robe of honour.

GROUND ANNUAL.—In Scots Law, is a ground-rent payable out of the ground before the tenement in a burgh is built. It is used in contradistinction to feu annual.

GROUND-RENT, in Law, is a periodical payment for the privilege of building on another's land.

GUARANTEE, OR GUARANTY, *gar-ran-te* (from Fr., *garantir*, to warrant).—A promise, or undertaking, to be responsible for the debts or duties of a third party, in the event of his failing to fulfil his engagement. To make such an obligation binding, there must be some good consideration moving from the party with whom it is made; as the delivery of goods to, or work to be done on credit for, the person on whose behalf the guaranty is given. It must be in respect of a contemporaneous, or future debt or act. If a guaranty be made in respect of a debt already incurred, there must be a new consideration to support it.

GUARDIAN, *gar-de-an* (Fr., *gardien*), in Law, is one who has the care of the person and property of a minor, who is called his ward.

Guardian in Socage was the old term when the minor was entitled to some estate in land, and then by the common law the guardianship devolved upon his next of kin, to whom the inheritance could not possibly descend, for the law judge it improper to trust the person of an infant in his hands who might by possibility become heir to him. The guardianship in socage ended when the minor attained the age of fourteen, when he might appoint his own guardian.

Guardians, by Statute, or testamentary guardians, are such as are appointed in virtue of the Statute 12 Car. II. c. 24, confirmed by 1 Vic. c. 26, which enacts that any father under age, or of full age, may by deed or will, attested by two witnesses, appoint any person or persons, as guardians of their children, either born

or unborn, until they attain the age of one-and-twenty years.

Guardianship in Chivalry, which was abolished by 12 Car. II. c. 24, was a part of the ancient feudal system, the lord being entitled to the wardship of the heir, if a male, until the age of twenty one, or if a female, until fourteen. This wardship consisted in having the custody of the body and lands of such heir, without any account of the profits during that time. This guardianship being considered a property, rather than a trust, was saleable, and, if not disposed of, passed at the lord's death to his personal representatives.

Guardians of the Poor are certain persons appointed in a parish, or union of parishes, to act in lieu of overseers, and to superintend all matters relative to the relief and management of the poor. (See POOR LAWS.)

GUARDS. (See HOUSEHOLD TROOPS.)

GUEBRES, GHEBERS, OR GAVRES, *gwai'-bers* (i.e., *giavours*, dogs, infidels), is a term applied by the Mohammedan conquerors of Persia to the disciples of Zoroaster in that country. They call themselves "Behendies," i.e., followers of the true faith, and are generally known by Europeans as fire-worshippers. (See PARSERS.) Under the Mohammedan invaders in the 7th century, they were much persecuted, and most of them embraced Islamism. A small remnant, who clung to their old faith, were finally allowed to settle in one of the most barren parts of the kingdom. They now number about 8,000 souls, dwelling chiefly in the city of Yazd and the province of Kerman. The sacred fire which Zoroaster brought from heaven is kept continually burning in holy places, and is fed with choice wood and spices. Their funeral ceremonies are very peculiar. Fasting and celibacy are considered as displeasing to the deity, and polygamy is strictly forbidden. Their priests pass their time in praying, chanting hymns, tending the fires on the altars, burning incense, and performing certain ceremonies. Prayer, obedience, industry, honesty, hospitality, and alms, are enjoined, while anger, revenge, envy, hatred, and quarrelling, are strictly forbidden. The precepts of this religion are contained in the Zend Avesta, or collection of sacred writings, which they believe Zoroaster received from heaven.

GUELPHIC ORDER, *gwel'-fik*.—An order of knighthood from Hanover, instituted 1815, by the Prince Regent (afterwards George IV.).

GUELPHS AND GIBELLINES, *gwelfs gib'-bel-lines*, the names of two political parties that, between the 11th and 14th centuries, continued to agitate the countries of Germany and Italy. The factions arose in the contest for the imperial throne between Conrad, duke of Franconia, and Henry the Lion, duke of Saxony, of the house of Guelph, or Welf. At the great battle of Weinsberg, in Suabia, in 1140, the adherents of Henry adopted the war-cry of "Welf," while those of Conrad took that of "Waiblingen," a seat of the Hohenstaufen family, to which Conrad belonged. The terms were continued to designate the two parties, the latter being corrupted into Gibellines. The house of Hohenstaufen having become the ruling power in Germany, the name of Guelphs was given to all who were disaffected towards it, while the Gibellines were those who supported imperial authority. As Italy became the chief theatre of the contests of these two parties, and as the Church was equally opposed with the Guelphs to the imperial power, it took part with the latter, and at length the popes became the leaders of that party. In the 13th century, under the reign of Frederic II.,

it came to be a contest between the temporal and spiritual power; and Italy was divided, as it were, into two camps, some cities ranging themselves on the Guelph side, while others remained attached to the Ghibellines. In 1334, Pope Benedict XII. forbade, under pain of the censures of the Church, the use of these once potent names; and in the following century they had become a mere traditional shadow.

GUIDES, *guides*.—In 1744, a small body of cavalry was formed in France to act as messengers on active service. Napoleon increased their numbers and formed them into a corps of 10,000 men.

GUILD, *gild* (Sax., *gildan*, to pray).—A society or body of individuals associated together for promoting the interests of a particular trade or calling. They were the basis of municipal constitutions, and in modern times the term, as applied to trade or commercial matters, is nearly obsolete. However, the High Church party in the Church of England have revived the term, and applied it to various associations for Church purposes.

GUNNER, *gun'-ner*, a name applied to soldiers belonging to the royal artillery, in contradistinction to those who are called drivers. In the royal navy the gunner holds the highest rank among warrant officers.

GUNPOWDER PLOT, the name of a conspiracy formed in the second year of the reign of James I. (1603), for the purpose of destroying the king and the parliament at a blow. The Roman Catholics having been disappointed in the expectations of indulgence from King James, Catesby and Percy, two Catholic gentlemen of ancient family, with a few others of the same persuasion, determined to run a mine below the hall in which Parliament assembled, and on the first day of the session, when the king and royal family would be present, involve the whole in one common ruin. A house close to the old palace of Westminster was hired by Catesby, and mining operations commenced; but they were obliged to be abandoned. A vault below the House of Lords, which had been used to store coals, being to let, Catesby hired it March 25, 1605, as being admirably suited for their purpose, and two hogheads and 36 barrels of gunpowder were lodged in it, the whole being covered with sticks and faggots, and the doors

thrown open, so as to prevent suspicion. Everything was at length prepared for the execution of the plot, which was arranged: or the 5th November, the day on which Parliament was to be re-opened. An anonymous letter having conveyed information as to the plot, the vault was searched on the evening of the 4th November, and Guy (or Guido) Fawkes, an officer in the Spanish service, who was to fire the mine, was found at the door, with a dark lantern, and matches in his pocket. The other conspirators fled to Holbeach House, in Worcestershire, where they were attacked on the 8th November. Catesby, Percy, and a few others fell, sword in hand, and the rest were made prisoners, tried, and executed. An annual thanksgiving was appointed on the 5th of November, in commemoration of the deliverance of the nation from the perils of the Gunpowder Plot; but the special service was discontinued in 1859.

GUYS HOSPITAL, an hospital, founded by Thomas Guy, a wealthy bookseller, in Southwark. The foundation-stone of the building was laid in 1772, and the first patient was admitted in January, 1725, a few days after the death of the founder, who had reached the age of 80. The building of the hospital cost £18,793, and he further endowed it with a sum of £219,499; making in all £238,295. In 1829, Mr. Hunt, of Petersham, bequeathed £195,115 to this charity, to provide for accommodation for one hundred additional patients. The annual income of the hospital is now nearly £30,000, and the average number of patients received, about 3,000; besides 50,000 out-door patients.

GYMNOSOPHISTS, *jim-nos-o-fists*.—The name given by the ancient Greeks to a sect of Indian philosophers who went about almost naked. They dwelt in the woods, spent their time in mystical contemplation, and practised the most rigorous asceticism. Strabo divides them into Brahmins and Samans, the former of whom adhered to the strictest principles of caste. Their most prominent tenet was the doctrine of the immortality and transmigration of the soul, and they were remarkable for their great contempt of death. They despised bodily pain, and inured themselves to the greatest tortures without manifesting the least indications of suffering. They practised suicide by burning, and in this way Calanus sacrificed himself at Babylon before Alexander the Great.

H.

HABAKKUK, *hab'-ak-kuk* or *ha-bak'-kuk* (Heb., an embrace), is the name of the thirty-fifth in order of the books of the Old Testament, forming the eighth of those of the twelve minor prophets. The author lived about 600 years before Christ, but little further is known regarding him. The book relates chiefly to the invasion of Judea by the Chaldeans, the overthrow of the Babylonish empire, and the final deliverance of God's faithful people. It may be divided into two parts. The first is in the form of a dialogue between God and the prophet. The second part is a prayer or psalm, in which the prophet recounts the wonderful works of God to his chosen people in times past, and beseeches

him to be merciful to them in their captivity. The style of this prophet has always been much admired. The famous psalm, or ode, in the third and concluding chapter, stands unsurpassed in the whole compass of Hebrew poetry, for the boldness and rapidity of its flights, the sublimity and grasp of its conceptions, the magnificence of its imagery, the music and melody of its rhythm. The canonical authority of this book has never been called in question; and it is several times quoted in the New Testament.

HABEAS CORPUS, *has'-be-as kor'-pus* (Lat., that you have the body of), in Law, is the name of a writ, of which there are several kinds.

but the great writ of that name is the *habeas corpus ad subjiciendum*, which, in the case of alleged illegal confinement, is directed to the person detaining, and calls upon him to produce the body of his prisoner, and state the cause of his detention, and receive the award of the judge or court. The personal liberty of the subject has always been regarded by the law of England as a constitutional right, unless forfeited by the commission of some great and atrocious crime. This doctrine has been handed down to us from Saxon times, and though sometimes assailed by the despotism of jealous or usurping princes, it still continued to maintain its ground, and was established on the firmest basis by the provisions of the Magna Charta, and a long succession of statutes enacted under Edward III. Means were adopted to evade this law, until at length the statute 31 Car. II. c. 2, was passed, called the Habeas Corpus Act, which is frequently regarded as another Magna Charta. It provides, that on complaint and request in writing, by or on behalf of any person committed or charged with any crimes (with certain exceptions, as in treason or felony, expressed in the warrant), the Lord Chancellor, or any of the twelve judges in vacation, shall award a habeas corpus for such prisoner, returnable immediately before himself or any of the other judges; the writ to be returned, and the prisoner brought up, within a limited time, according to the distance, not exceeding in any case twenty days. It has been usual in times of danger to suspend the Habeas Corpus Act; but this can only be done by an Act of Parliament authorizing the Crown for a certain period to imprison suspected persons without assigning cause for so doing. As this Act extended only to persons committed on criminal charges, all other cases of unjust imprisonment being left to the operation of the common law, the statute 56 Geo. III. c. 100, was passed, which declares that a writ of habeas corpus returnable immediately may be issued to bring up the body of any person restrained of his liberty (other than for some criminal matter), except persons imprisoned for debt, or by process in a civil suit.

HABERE FACIAS POSSESSIONEM, *ha-be-re fac-ias-pos-ze-she-o-nem* (Lat., you may cause to have possession).—A writ of execution granted to a plaintiff who has obtained judgment in an action of ejectment, whereby the possession of land is awarded to him. It is directed to the sheriff of the county.

HABIT. (See CUSTOM and HABIT.)

HABIT AND REPUTE, *hab-it, re-pu-te*.—A phrase in Scots Law, denoting something well known or generally received. Where a man and woman are generally reputed to be married, this by itself is held to constitute marriage, and evidence to the contrary will be of no avail. A habit and repute thief is one who is notoriously such; and this forms an aggravation of the offence, *namely* rendering it capital, and therefore not bailable.

HABITUAL CRIMINALS ACT.—An Act for the more effectual prevention of crime, giving power for the apprehension of habitual criminals on suspicion, was passed August 12, 1866.

HADJI, *had-je* (Arab., a pilgrim).—A Mohammedan who has performed a pilgrimage to Mecca, a religious act which every true believer is bound to perform at least once in his life; but minors, slaves, and lunatics are exempt from this

obligation. *Hadj* is the name of the celebration which takes place on the arrival of the caravans of pilgrims at Mecca, and a Mohammedan who has made the pilgrimage commonly bears for the rest of his life the title of *hadj* prefixed to his name.

HÆRETICO COMBURENDO, *he-ret-ic-to kom-bu-ren-do*.—The name of a writ which anciently lay against a heretic who, having once been convicted of heresy, and abjured it afterwards, fell into it again, and was in consequence handed over to the secular power.

HAGGAI, *hag-gai* (Heb., festive), is the name of one of the prophetic books of the Old Testament, whose author, Haggai, flourished during the reign of Darius Hystaspes, about five hundred years before Christ. He is classed as the tenth among the minor prophets. His book, consisting of two chapters only, comprises four discourses, of which, in all probability, we have only an epitome, and which are all concerning the same subject—the building of the temple. The last verses are Messianic, and contains a promise of the future glorification awaiting the royal offspring of David and Zerubbabel, after the downfall of all earthly thrones. The style of Haggai in reproving is indeed vehement, but by no means poetic.

HAGIOGRAPHIA, *hag-e-og-re-fa* (Gr., sacred writings), is a term sometimes applied to certain books of the Old Testament, which were held to be inspired in a lower degree than the others; but they did not always agree as to what books belonged to the second, and what to the third class. The Hagiographa comprise the books of Psalms, Proverbs, Job, Song of Solomon, Ruth, Lamentations, Ecclesiastes, Esther, Daniel, Ezra, Nehemiah, and the Chronicles.

HALACHA, *hal'-a-ka*.—The Jewish oral law, supposed to be like the written law, of Divine origin. It may be considered as a commentary, by learned Jews, on the Pentateuch. (See MIDRASH, MISHNA, TALMUDS.)

HALF-BLOOD, *half-blood* (Sax., half).—Persons having only one parent in common: when they have both parents in common they are whole blood. When the common parent is the father, they are brothers or sisters consanguinean; when the mother, uterine. In the succession to real or landed property in England, a kinsman of the half-blood inherits next after a kinsman of the whole blood in the same degree, and after the issue of such kinsman, when the common ancestor is a male, but next after the common ancestor when such ancestor is a female. So that brothers consanguinean inherit next after the sisters of the whole blood and their issue, and brothers uterine next after the mother. In Scotland, however, only the half-blood consanguinean succeed after the full blood; the half-blood uterine never succeed in any event. In England, as regards personal estate, a brother or sister of the half-blood, whether by the mother or father's side, shares equally with the whole blood, for they are both regarded as equally near of kin to the deceased. In Scotland, however, brothers and sisters german and their issue first take, exclusively; then brothers and sisters consanguinean and their issue, exclusively; and then brothers and sisters uterine and their issue.

HALF-PAY, a term applied in the English

army and navy to an allowance given to commissioned officers who are not actively employed. Half-pay is granted temporarily only to officers thrown out of employment by the reduction of the corps, or to those who are compelled by sickness to leave active service. Permanent half-pay can be demanded by any officer who has served for 25 years, and it is also given to majors and lieutenant-colonels, who, after serving for five years with a regiment in the ranks, are not re-employed. The first army grant for half-pay was made by William III., in 1698. In the navy, the arrangements for half-pay are very different. All officers are appointed merely to serve during the time while a certain ship is in commission; when this expires, their employment ceases, and they leave active service. As there are more naval officers than there are appointments to fill up, there is always a large number on the non-effective lists. These officers are then placed on half-pay until called into active service. The amount of this half-pay is usually 60 per cent. of the full pay of each grade in the service.

HALIFAX ADMINISTRATION, *hal'-i-fax*.—Charles, Earl of Halifax, was appointed first Lord of the Treasury on the 5th October, 1714, and retained office till his death on the 19th of the following May.

HALIFAX GIBBET LAWS.—A local law of a very severe kind, which formerly prevailed in the manufacturing town of Halifax, in Yorkshire. If any workman employed in the woollen manufacture robbed his employer of any of the material entrusted to him to work up, of or above the value of 13d., he was tried by the surgeons, and, if found guilty, executed on the first market day following, by means of an instrument similar to the guillotine, portions of which are still preserved in the old jail of the town. (See **GUILLOTINE**.)

HALLELUJAH, *hal'-le-lu-ga* (Heb., *hallel* and *Yah*, praise ye the Lord), is the name of a well-known doxology derived from the Old Testament, and frequently used in the ancient church. In some of the early churches it was sung generally throughout the year; in others, it was sung only on Easter-Day and the fifty days of Pentecost. It was occasionally, also, sung at funerals. In the fourth council of Toledo it is mentioned under the name of *Laudes*, and appointed to be sung after the gospels. The ancient church retained the Hebrew word, as did also the Church of England in its first liturgy; but now the English translation, "Praise ye the Lord," is used. In many of the hymns used in the services, the word (sometimes in the Greek form "*alleluia*") is retained. One of the greatest and most sublime achievements in music is the "Hallelujah Chorus" in Handel's oratorio, the *Messiah*.

HALLUCINATION, *hal'-i-sin-ah* (Lat., *hallucinatio*, from *hallucino*, I err), denotes an error or mistake of the senses. Illusions are often owing to the inexperienced judgment. Hallucinations, on the other hand, do not depend upon the judgment, but are aberrations, which are not influenced by experience. They sometimes affect only one, sometimes several, and even all of the senses—sight, hearing, smell, and feeling. They generally are due to some affection of the nerves, or the cerebral centre, chiefly from pressure of blood, cramp, &c. The course and

termination of these states of mind, which are only symptomatic, issue, after longer or shorter duration, either in health, from undecieving the patient, or, if this does not happen, in a fixed idea—in insanity. Some very remarkable instances are recorded of hallucinations experienced by eminent men, who knew at the time that their senses were deceiving them.

HAMPTON COURT CONFERENCE, *ham'-ton*, was a conference summoned by James I., soon after his accession to the throne of England, to meet at Hampton Court, with a view to the settlement of religious differences, more particularly between the Episcopalians and the Puritans (January, 1604). The result was a royal proclamation very adverse to the Puritans.

HANAPER OFFICE, *han'-a-per*, the name of an office formerly belonging to the common law jurisdiction of the court of Chancery. It is so called because all writs relating to the business of the subject, and their returns, were in early times kept in a hamper (Lat., in *hanaperio*). The office was abolished in 1842.

HANDS, IMPOSITION OR LAYING ON OF, is a ceremony performed in the conferring of holy orders, in which the hands are laid on the head of a person as a sign of a mission, or of a power given him to exercise the functions of the ministry belonging to the order. The practice is adopted by the Roman Catholic, Anglican, Lutheran, and Presbyterian Churches. The missionaries appointed by the apostles in the early church were ordained by the laying on of hands.

HANGED, DRAWN, AND QUARTERED. (See **HANGING**.)

HANGING, *hang'-ing* (Sax., *hangian*, to hang), is a mode of capital punishment which has been used in this country from time immemorial. In atrocious cases, it was formerly usual for the court, in passing sentence, to direct the criminal, after execution, to be hung upon a gibbet in chains near the place where the fact was committed; also, that the execution take place on the day next but one after receiving his sentence, and that his body be delivered to the surgeons to be dissected. These severities were abolished by several statutes passed in the reign of William IV. Hanging is applied to that kind of death in which the body is wholly or partially suspended by the neck, the constricting force being the weight of the body itself, while in strangulation it is due to some other cause. In both cases death commonly results from asphyxia. If, however, the cord be loose, or applied to the upper part of the neck, a small quantity of air may still reach the lungs. Death in such cases will arise from apoplexy, the cerebral circulation being interrupted by the pressure. In many cases death is produced by a mixed condition of asphyxia and apoplexy.

HANSARD'S DEBATES, *han'-sardz*, the title of a work, started by Mr. T. C. Hansard in the year 1812, as a continuation of Cobbett's Parliamentary History, and in course of publication at the present day. Hansard's Debates gives clear and concise reports of all debates, bills passed, and motions made, both in the House of Lords and the House of Commons. Without political bias, Hansard's Debates are merely reports of all that takes place in the

houses of Parliament, and are consequently the best books of reference on the subject. The speeches are generally reprinted from the daily newspapers; but important speeches are usually submitted to the author for revision. The reports are quoted in the Houses as authoritative reading.

HANSEATIC LEAGUE, *han-se-at-ik leag* (Ger., *hansa*), was a celebrated commercial confederacy formed among certain commercial cities of North Germany, in the 13th century, and took its name from the old German word *hansa*, signifying an association or confederacy for mutual aid. As the commercial cities of the North began to increase in wealth and importance, they came to be harassed by the attacks of pirates and robbers, and various tolls were imposed which interfered seriously with trade. These circumstances at length gave rise, in 1239, to an agreement between Hamburg, Dithmarsh, and Hadeln; and in 1241 a confederacy was formed between Hamburg and Lübeck, in which they mutually agreed to protect each other against all violence. This confederacy was joined by Brunswick in 1247. In a short time the number of the members had so much increased that in 1260 a diet was held at Lübeck, the chief city of the league. Regular meetings of the confederacy now took place there every three years, about Whitsuntide, and the general archives of the league were kept there. The confederacy was at its highest degree of power and splendour during the 14th and 15th centuries, and comprised at one time no fewer than eighty-five cities. These were distributed into four classes or circles. Lübeck was at the head of the first circle, and had under it Hamburg, Bremen, Rostock, Wismar, &c. Cologne was at the head of the second circle, with twenty-nine towns under it. Brunswick was at the head of the third circle, which comprised thirteen towns. Dantzic was at the head of the fourth circle, having under it eight towns in its vicinity, besides several others that were more remote. The supreme authority of the league was vested in the deputies of the different towns assembled in congress. The league exercised a judicial power, and inflicted the greater and lesser ban (*see BAN*); any place which incurred these punishments, being said to be *verhanset*. At length there was no mart in Europe that was not gradually drawn within the circle of its influence; and by the greatness of its wealth, and the might of its arms, it became dominant over crowns, lands, and seas. In order to facilitate and extend their commercial transactions, the league established various factories in foreign countries: at London in 1250, at Bruges in 1252, at Novgorod in 1272, and at Bergen in 1278. At London their factory was of considerable size and importance. They enjoyed various privileges and immunities; they were permitted to govern themselves by their own laws and regulations; had the custody of one of the gates of the city (Bishopsgate) committed to their care; and the duties on various kinds of imported commodities were reduced in their favour. Their factory in London, situated in Thames Street, was known as the "Steelyard." In the Netherlands, Norway, and Russia, they enjoyed important privileges. The foreign factories were subjected to an almost monastic strictness of discipline, which even required the celibacy of the factors, clerks, &c. After the middle of the 15th century, the power of the league began to decline. The last diet of the confederation was held at Lübeck in 1630, when

the union was dissolved. Hamburg, Lübeck, and Bremen subsequently formed an association among themselves, and remained free republics till 1870, when they were incorporated into the French empire. In 1813, they again became free, and, in conjunction with Frankfort-on-the-Maine, were recognised as the "Free Hanseatic Cities," and formed a part of the Germanic Confederation. At a convention in July, 1870, the powers and privileges of the three forms were confirmed. They now form portions of the German empire.

HARBOURS, LAW RELATING TO.—

The king has the prerogative of appointing ports and havens, or such places only for persons and merchandise to pass into and out of the realm, as he deems proper. It has always been holden that the king is lord of the whole shore, and practically is the guardian of the ports and havens, which are the inlets and gates of the realm. Though the king had the power of granting franchise of ports and havens, yet he had not the power of resumption, or of narrowing or confining their limits when once established; but various acts were passed (the earlier being superseded by 6 Geo. IV. c. 105), enabling the crown, by commission, to ascertain the limits of all ports, and to assign proper wharves and quays in each, for the exclusive landing and lading of merchandise. The crown, however, has the power of opening and shutting ports for the purpose of prohibiting the importation or exportation of goods. In 1847, an act was passed consolidating into one the provisions usually contained in acts authorizing the making and improving of harbours, docks, and piers. The Act 10 and 11 Vic. c. 27, provides for the making and improving of harbours, docks, and piers; authorizing the undertakers to levy rates, and laying down sundry rules for their guidance. The Act has been in some measure altered by the "General Pier and Harbour Act," 1861 (24 and 25 Vic. c. 45), for facilitating the formation, management, and maintenance of piers and harbours in Great Britain and Ireland; and the "Harbours and Passing Tolls Act," 1861 (24 and 25 Vic. c. 47) to facilitate the construction and improvement of harbours, by advertising loans to harbour authorities, to abolish passing tolls, and other purposes. By 24 and 25 Vic. c. 69, and 28 and 29 Vic. c. 100, certain powers and duties relative to harbours were transferred from the Admiralty to the Board of Trade. Many of the harbours are also regulated by private acts.

HARD LABOUR, in law, is a punishment frequently added to imprisonment, and is said to have been introduced in the reign of Queen Anne. The kind of labour varies according to the nature of the prison and other circumstances, but commonly includes picking oakum, working the treadmill, mat-making, and turning a crank, and is usually for ten hours a day.

HARMONITES, *har'-mon-ites*, the name of a sect founded by one Rapp, a native of Württemberg, born 1770. He and his followers emigrated to America in 1803, and established themselves near Pittsburg, in Pennsylvania, where they founded what they termed the Pure Apostolic Church, living in a kind of social brotherhood, having all things in common, and the like times for rest and enjoyment. They subsequently removed to Ohio, where they founded the colony of Economy. Rapp died in 1847, and was succeeded

as head of the Harmonites by one Becker. They number about 4,000.

- **HARMONY OF THE GOSPELS** is the name given to a certain class of books, which have for their object the reconciliation of the narratives, given in the four evangelists, on the accounts contained in them digested into one continued narrative. There are many instances of things omitted by some, and given by others of the evangelists; many repetitions, and not a few seeming contradictions. In order to show the concurrence or agreement of the several gospels, and to reconcile such discrepancies, is the object of these harmonies. The first work of this kind was the "Diatessaron" of Tatian, who flourished in the latter half of the 2nd century. In the next century appeared a similar work by Ammonius; but from that time for many centuries no other work of the same kind was published. In modern times, however, the number of such works does not fall short of two hundred; a fact proving at once the difficulty of the subject and the interest taken in such matters.

HARMONY PRE-ESTABLISHED, in Philosophy, is the name given to a doctrine which professes to explain the connection that subsists between spiritual and material substances, and which was introduced by Leibnitz, who held that God, before creating the soul and body of man, had a perfect knowledge of all possible souls and all possible bodies. Among this infinite variety of souls and bodies it would be impossible but that there should be souls whose series of perceptions and determinations would correspond to the series of movements which some of these possible bodies would execute. Now, supposing that of such a soul and such a body God should make man, it is evident that between the two substances which constitute this man there would subsist the most perfect harmony, the one upon the other; each would act by virtue of its own nature, like two clocks accurately regulated, which point to the same hour and minute, although the spring which gives motion to the one is not the spring which gives motion to the other. This harmony being established before the creation of man, is hence called the pre-established or predetermined harmony.

HARTFORD CONVENTION, *hart'-ford*, an assemblage of delegates from the New England states, which met at Hartford, Connecticut, December 15, 1844. The war between Great Britain and the United States, which began in 1812, was from the first distasteful to the great majority of the people of New England, who had suffered immense losses from it, by the destruction of their commerce and fisheries. A committee of the Massachusetts legislature recommended a convention of the New England states to devise means of security and defence. The convention sat for twenty days with closed doors, and embodied the result of their deliberations in a report addressed to the legislatures, which they represented, recommending the adoption of such measures as might be necessary effectually to protect their citizens from the operation of Acts passed by Congress, containing provisions subjecting the militia and other persons to forcible drafts, conscriptions, or imprisonments, not authorized by the constitution of the United States. It also proposed certain amendments to the

federal constitution. The holding of this convention and its supposed treasonable designs caused a great outcry among the democratic party, and much apprehension at Washington. The imputation of treasonable designs to it continued until a very recent period, and resulted in excluding from political power in the state almost every man implicated in its doings.

HARUSPICES, *ha ru'-spices*.—A class of soothsayers in ancient Rome who pretended to interpret the will of the gods by the inspection of the intestines of the animals offered for sacrifice. They also professed to interpret the meaning of earthquakes, lightning, and other natural phenomena.

HASP AND STAPLE, *hasp, stapl'-pl* (from Sax.), in Scots Law, was the old form of entry of an heir on property situated in a royal burgh. It consisted in the heir, accompanied by a bailie and the town clerk, appearing on the premises, when the bailie directed the heir to take hold of the hasp and staple of the door as a symbol of possession; he then entered the house and bolted himself in; and on his coming out, the transaction was noted and registered. This form is now no longer necessary.

HATTI SHERIF, OR HATTI HUMAYUN, *hat'-te sher'-if, hoo-ma'-yun* (Turkish, exalted, or august writing).—The name given by the Turks to every rescript of the sultan. It is in the Turkish language, and written in the Arabian court-hand—Divani. Above the text, as a sign of its authenticity, stands the ornamental name-flourish of the sultan, commonly black, sometimes red, and in some cases golden. This flourish is called *Tugra*, or *Rischantsherif*—i.e., exalted sign—and the official who super-scribes it is called *Rischantdschi*—i.e., signer. A hatti sherif is irrevocable.

HAVILDAR, *hav-il-dar'*, is the highest rank to which a non-commissioned officer can ascend in the native regiments of India and Ceylon; and consequently somewhat analogous to that of a sergeant-major in the English army.

HAWKERS, PEDLARS, AND PETTY CHAPMEN, *hawk'-ers* (Ang.-Sax.), are persons travelling from town to town, selling goods and merchandise. They were first licensed in 1698, and since then have been the subjects of frequent legislation. Licensing commissioners were appointed in 1810. The cost of the license was reduced in 1861, and again by the Pedlars' Act (34 and 35 Vic. c. 96). Pedlars, or hawkers, exercising their calling entirely on foot, must take out an annual license at a cost of 5s. This is only available within a certain police district; but by payment of an extra sixpence he can obtain permission to extend it to another district. Hawkers using horses pay £4 yearly for a license, for each horse or other beast of burden. Any person hawking without a license is liable to heavy penalties.

HAYBOTE, *hay'-bote* (Sax.).—in Law, is a liberty to take thorns and other wood to make and repair hedges, gates, fences, &c., either by a tenant for life or years. It includes also wood for the making of stakes and finks, used in the making of hay.

HAYWARD, *hay'-ward* (Sax.).—The keeper of a common herd of cattle of a town, and part

of whose duty is to see that they neither break nor corp the hedges of inclosed grounds.

HEADBOROUGH. (See BOROUGH.)

HEARING IN PRESENCE.—In Scotch Law, a hearing of a difficult or important case before the whole of the thirteen judges of the Court of Session, to which it may have been remitted by one of the divisions, the judges of which were equally divided in opinion.

HEARSAY EVIDENCE, *hear'-say* (Ang.-Sax.), in Law, is the name given to that kind of evidence in which a witness speaks not from his own knowledge, but from what he heard another person say. As a general rule, such evidence is inadmissible in a court of law; as the person by whom the statement was first made cannot be sworn, neither can he be cross-examined; and the full truth or entire meaning of the statement may not have been carried away. But there are some cases in which such evidence is received; as in proof of any general customs, or matters of common tradition or repute; or an account of what deceased persons have said in their lifetime.

HEARTH-MONEY. (See FUMAGE.)

HEAVEN, *hev'n*.—The Hebrews acknowledged three heavens:—firstly, the air, or aerial heaven; secondly, the firmament, in which the stars were supposed to be placed; and lastly, the heaven of heavens, or third heaven, which was the seat of Jehovah. Amongst Christians, heaven is held to be the abode of the Deity—that paradise in which the souls of the good will enjoy happiness, and for ever dwell in the life to come.

HEBREW LANGUAGE AND LITERATURE, *heb'-brew*.—The Hebrew is one of the oldest and most remarkable of known languages, and is of especial interest to us, as being that in which the Old Testament Scriptures were originally written. It belongs to the so-called Canaanitish branch, or chief division of the Semitic family of languages, the other branches being the Aramaic and Arabian. It is matter of dispute whether the Hebrew language, as seen in the earliest books of the Old Testament, is the dialect which Abraham brought with him into Canaan, or whether it is the common tongue of the Canaanitish nations, which Abraham only adopted from them, and which was afterwards developed to greater fulness under the peculiar moral and political influences to which his posterity were exposed. The origin and progress of the Hebrew language, until it became the language of Scripture, in the time of Moses, it is impossible to determine. From the time of Moses down to the Captivity, a period of 1000 years, notwithstanding the existence of some isolated, but important archaisms, as in the form of the pronoun, &c., it underwent but little change. So far is this the case, that it has been used as an argument against the received antiquity of the Pentateuch. The causes, however, are to be sought in the isolated and stationary character of the Hebrews themselves, and the genius of the language, as little susceptible of change. In even the earliest canonical books of this period, the language appears in a state of mature development, with precision of syntactical arrangement and great regularity of formation. One of the most remarkable features in the later language of this period is the difference which distinguishes the

diction of poetry from that of prose. The language of simple narration and history limits itself to the forms necessary to common purposes; the poets, on the other hand, made use of unusual words and flexions, and harmonic arrangement of thoughts, as seen both in the parallelism of members in a single verse, and in the strophic order of longer periods. The rhetorical language of the prophets moves in a more free rhythm of thought, and in longer sentences, than the poets; but in other respects, especially in its palmy state, falls in very much with it. The decline and corruption of the Hebrew language dates from the Babylonish captivity. From the time of the Assyrians the Aramaic made great inroads upon the Hebrew; and after the power of the Israelites had been broken by long wars and captivity, the Aramaic, owing to the influence of foreign authority and foreign colonists, spread rapidly. After their return from the captivity, Ezra and Nehemiah took care that the Hebrew, in its ancient form, should be made more familiar to the people; and they both wrote in Hebrew. Among the more strict Jews, the Hebrew was still retained, although within narrow limits, as appears from Daniel and the Maccabees. Still the progress of the Aramaic was not to be repressed; and if the ancient language was occasionally imitated, there was always a considerable admixture of the foreign idiom. From the second century on, the Hebrew was known only to the learned, whilst the Aramaic became the vernacular of the country. Yet, after it ceased to be the language of the people, it did not become unknown to them, as it was read in the Bible in the synagogues, and was frequently made use of by the learned among them to communicate information to those of their own faith. The earliest known character in the Hebrew writing bears a very strong resemblance to the Samaritan, both being evidently derived from the Phœnician. During the Babylonish captivity, they received from the Chaldees the square character in common use; and in the time of Ezra, the old Hebrew manuscripts were copied in Chaldean characters. The origin of the vowel-points is usually assigned to the seventh century of our era, and arose from the efforts made by the learned Jews to preserve the pronunciation of their sacred language, when it ceased to be a spoken tongue. The minute and complex system which we now possess was gradually developed, from a few indispensable signs, to its present elaborateness. There are three kinds of Hebrew alphabets now in use—the square, or Assyrian, that commonly used in print; the rabbinical, or mediæval, that used chiefly in commentaries and notes; and the cursive, which is employed in writing. There are no capital letters, and the writing is from right to left. The alphabet consists of twenty letters, or consonants, the vowels being expressed by marks above or below the letters. Five letters have a separate final form. The accents and marks of punctuation are very numerous. The Hebrew is deficient in grammatical technicalities, especially in moods and tenses of the verb, and, consequently, also somewhat in precision; but in euphony, simplicity, brevity, variety of signification, and power of poetical expression, it is hardly excelled by any tongue. The Hebrew literature is the oldest in existence, and has claimed a high degree of attention on account of its connection with our religion. With the Hebrews, as with every other people, poetry was cultivated before

prose; and in the songs of Moses and Deborah we have the earliest specimens of poetry. Hebrew poetry is remarkable for its wealth of imagery, not only in the way of illustration, but also of metaphor, substituting the image for the object to be described. There is also a great desire for the symbolic, giving to abstract ideas a concrete form, and investing even inanimate objects with thoughts, feelings, and speech. Hebrew poetry is sententious, each stanza or couplet being complete in itself; so that they would admit of increase or diminution, or of a different arrangement, without destroying the unity of the whole. All attempts to discover rhyme or metre in ancient Hebrew poetry have failed; but this may probably arise from our ignorance of the ancient pronunciation. The period immediately after the return from the Babylonish captivity was of the highest importance to Hebrew literature. Learned men were appointed to make collections of the ancient writings, and the sacred Scriptures were authenticated, and arranged into a canon. When Judea was a province under the successors of the Macedonian hero, Greek refinement, science, and philosophy, spread among the Jews, and a number of errors crept into their religion, and led to the formation of different sects among them; as the Pharisees, Sadducees, Essenes, &c. The Greek language became common in Judea, and the Septuagint was used in the synagogues. During this period, and under the Romans, their literature made great progress, from the influence of the great successive schools, the most famous of which was that of the great Hillel, president of the Sanhedrim. The philosophical book of Ben Sirach and the first book of the Maccabees are the products of the earlier part of this period; and a number of the other apocryphal writings, whose date is unknown, may probably be referred to the same time. The simultaneous literary activity of the Jews in Africa is evinced by their numerous contributions to Hellenistic poetry and history (Jason, Alexander, Polyhistor, Ezekiel, &c.), and especially to Platonic philosophy (Aristobolus, Philo, &c.). The Roman conquest, and the persecutions which followed, naturally exerted a very pernicious effect upon literature. After the desolation of Jerusalem, various other places in Palestine became distinguished for their schools of religious science, principally under the lead of the presidents of the Sanhedrim. The work of collecting, elucidating, systematizing, and further developing the decisions of the oral law, was also carried on; and these were finally converted into a written code, or compendium of teachings (Mishna), by the patriarch Jehudah the Holy, and his school, during the mild reign of the Antonines. (See MISHNA.) To this were added the partly supplementary, partly explanatory works, Tosefta, Mekhilta, Sifra, and Sifre. These works became the basis of religious study in the subsequent three centuries, in Palestine, as well as in Babylonia, where various flourishing schools existed. After new persecutions by the Christian emperors, which destroyed the schools (353) and the patriarchate (429) of Palestine, and by the Persian kings in the latter part of the 5th century, which destroyed the schools of Babylonia, the results of these studies were collected, though in chaotic disorder, in the two Gemaras or Talmuds (which see), the Palestinian and Babylonian; other extant products of the time were various ethical treatises; historical, legendary, and cosmogonical writings; stories, prayers, &c.

The Chaldee, often with an admixture of Hebrew, was now generally used in literary works, while the people used the various languages of the countries in which they lived.

HEBREWS, EPISTLE TO THE.—The name of one of the canonical books of the New Testament addressed to converted Jews, and designed to dissuade them from relapsing into Judaism, and to fortify them in the Christian faith. It contrasts the grandeur, efficiency, and perpetuity of the new covenant economy with the earthliness, feebleness, and temporary nature of the Mosaic; and exhibits the divine character and offices of the Redeemer, and His infinite superiority to Moses and the Aaronic priesthood. The reasonings are interspersed with numerous solemn and affectionate warnings and exhortations, addressed to different descriptions of persons. The authorship of this epistle has been much disputed. There is considerable, but not convincing, evidence that the author was St. Paul. It has also been ascribed to Apollos, Silas, Clement, Luke, Barnabas, &c. Professor W. B. Smith, who rather favours the claim of Barnabas, says, "We can only say that the writer was a man of the first intellectual mark and of Alexandrine culture, whose power and work lay mainly among Jewish Christians, but who was at the same time associated with the Pauline circle." It was probably written about A.D. 62 or 63. Luther rejected the authority of the epistle, and suggested that Apollos was probably the author. At first received as canonical, its authority was rejected by the Roman and North African churches in the third century. The language in which it was originally written; the Jews to whom it was addressed; whether it really was an epistle addressed to a particular community, or only a discourse or dissertation intended for general readers, have all been matters of dispute.

HEDGEBOLE, the right of a tenant to cut wood on the farm or land to repair hedges.

HEIDELBERG CATECHISM, *hi'-del-bury*, is the name of a work which occupies an important place in the history of the Reformation. It was the joint production of Caspar Olevianus and Zacharius Ursinus, professors of theology in the university of Heidelberg; and its publication and use was ordered by decree of elector Frederick III., dated 19th January, 1563. The elector, to prevent the religious bickering that had disturbed the first year of his reign, and feeling it his duty to provide for the religious wants of the people, caused it to be introduced into both church and schools. This catechism agrees with the theology of the Reformed church in general, and with that of the Calvinistic type in particular. Princes and theologians set themselves in array against it, the Roman Catholics detested it, the Lutherans assailed it, the Melancthonian theologians of Wittenburg combated it; but the elector stood firm, and the catechism held its place.

HEIR, *aire* (Lat., *heres*; old Fr., *heire*).—In English Law, is one who succeeds, by descent, to an estate of inheritance, being lands, tenements, or hereditaments. The estate must be a fee, because nothing passes *jure hereditatis* but a fee; and the word "heirs" is necessary in the grant or donation, in order to make a fee or inheritance. In the Scotch law, the term heir does not mean merely the heir-at-law, but also the heir by destination or limitation; neither is it confined to lands only, but is applied also to the successors

to personal property, who are, in the English law, distinguished as next of kin. The eldest son, after the death of his father, is at common law his heir. The estate claimed by the heir must necessarily be one that remained in the ancestor or deceased owner at the time of his death, and of which he has made no testamentary disposition.

Heir Apparent.—The person who is certain to succeed if he outlive his ancestor, as an eldest son.

Heir Presumptive.—The person who would succeed if the ancestor were to die immediately, but who may ultimately be displaced if the ancestor live longer, and become the father of an heir apparent.

Heiress, in Law, is a female heir. Where there are several, they are called co-heiresses.

HELL (Anglo-Saxon).—A word originally applied to a cavern or dark abyss, but now limited to express the place or condition of punishment of souls after death. In the Old Testament the word is a translation of the Hebrew *sheol*, "the world of departed spirits," and should rather have been rendered "Hades." In the New Testament it has in some places the same meaning, and in others is used as a translation of *Gehenna*, the place of future punishment. (See *GEHENNA*.)

HELOTS, *he-lots*.—The lowest of the four classes into which the population of ancient Sparta was divided—slaves many of them, probably captives of war. The name may have been derived from the Greek, *helaín*, to capture, or from Helos, a town the inhabitants of which were reduced to abject slavery by Sparta. They belonged to the state, but worked for individual proprietors, and were "bound to the soil"—that is, could not be sold away from the place of their labour. In time of war they were compelled to attend their masters; they were whipped every year to remind them of their servile condition, and were in general treated with brutal severity. The assassination of Helots was frequently an amusement of organized companies of young Spartans.

HELVETIC CONFESSIONS, *hel-vet-ik*.—The authorized expressions of doctrine issued by the Calvinistic or Reformed Church of Switzerland. It is embodied in the confession issued at Basel in 1530, and in Ballinger's *Expositio Simplex*, 1536.

HELVETII, *hel-vet-she-i*.—The name of a Celtic people who, according to Cæsar, occupied the country between the Jura on the west, the Rhone and Lake Lemau on the south, and the Rhine on the east and north. Their country thus corresponded pretty closely with the limits of modern Helvetia or Switzerland. It was divided into four districts or *pagi*, and had twelve towns and 400 villages. In a great battle with Cæsar, the Helvetii fought with desperate valour, but they were at length defeated with great slaughter. Of 308,000 of the Helvetii who left their homes, of whom 92,000 were fighting men, only 110,000 returned to their own country, the rest being slain in battle, or afterwards massacred. Numerous Roman castles and colonies were planted in their land, which was known as the *Ager Helveticus*, until it was attached to transalpine Gaul.

HEMEROBAPTISTS, *hem-e-ro-bap-tists*.—A sect among the ancient Jews, who performed daily ablutions as a religious duty. In

doctrine, they differed only from the Pharisees in denying the resurrection of the dead.

HENOTICON, *he-not-i-kon* (Greek, unity).

—An edict for reconciling the Eutychians with the Church. It was issued by the Emperor Leno, in 482. It was strongly opposed by the Popes of Rome, and annulled by Justin I. in 518. (See *EUTYCHIAN*.)

HEREDITAMENT, *he-red-it-a-ment* (Lat., *hereditas*, an inheritance), a legal term for the real and personal property which goes to the heir-at-law. Houses or lands held in freehold are *corporeal* hereditaments; and titles, advowsons, &c., are *incorporeal*, being merely rights in connection with corporeal things.

HEREDITARINESS, *he-red-i-ta-rin-ess*.

—The transmission of physical or mental peculiarities from parents, or ancestors, to offspring or descendants. That there is frequently a general resemblance, more or less marked, is a very obvious fact; but strongly defined peculiarities not uncommonly are absent in one or even two generations, and then reappear, persons often resembling their grandparents more nearly than they do their immediate progenitors. Hereditariness is even more marked in the lower animals than in the human race, the modifying influences of education and of social circumstances acting on the latter. In man, the influence of each parent appears to be about equal; but in the horse, dog, and some lower animals, peculiar qualities appear to be generally inherited from the male. A race-horse, for instance, famous for speed or beauty of form, will almost invariably transmit these qualities (if sometimes only in a modified form) to the colt; but the mare rarely does so if the sire is an inferior animal. In the human race, special marks or deformities, even internal malformations, are frequently transmitted, but generally in alternate generations, and sometimes with longer intervals. Peculiarities of mind, temper, thought, and habit, appear and reappear in families and races; and it is painful to know that criminal tendencies are very commonly hereditary, and that in some families it is so persistently developed that a class of hereditary criminals is produced. Certain diseases, as gout, consumption, asthma, and epilepsy, are unquestionably transmitted, though in many cases with intervals of unaffected persons. So strongly marked is the hereditary tendency to insanity, that one great authority attributes six-sevenths of the cases of insanity to this cause.

Laws of Transmission.—Seven laws of hereditary transmission are recognised—the first, fourth, and seventh being the most important. 1. *Direct*.—The direct transmission from parents to offspring. A child may resemble both its parents equally, or one of them peculiarly; and the likeness may be in the same sex or in the opposite sex. 2. *Reversionary*, or *atavism*, occurs when the child resembles its grand-parent. 3. *Collateral*.—A curious phenomenon which often occurs, the child resembling an uncle or aunt, or some of its relatives out of the direct line of descent. 4. *Co-equal*.—The laws by which the members of the two sexes are maintained in substantial equality. 5. *Prenatal*.—The remarkable and inexplicable likeness of a woman's child by a second, or third marriage to her husband in a previous marriage. 6. *Prenatal*, when influences which have affected the mother just previous to a during pregnancy transmit peculiar characteristics to the offspring. 7. *Initial*.—The transmission of qualities according to the temporary moral good or bad of parents when they become such.

HEREDITARY PRIVILEGES AND POSSESSIONS, *he-red'-e-ta-re*.—In the government and social constitution of many countries, hereditary rights and privileges are allowed to certain individuals or families; and the question of the admissibility of these rights and privileges has frequently been agitated, especially in recent times. Besides hereditary monarchy in this country, there is the question of hereditary classes, dignities, and offices in the State. The hereditary transmission of posts in the State, the powers attached to which are almost monarchical, is inconsistent with the idea of a free state. But the existence of a class with certain hereditary privileges, as in this country, may be of great advantage to a nation. Those families whose hereditary traditions form a portion of the national history naturally identify themselves with the prosperity and honour of the country. The hereditary privileges of the nobility, however, can be abused; and the great revolution of France was an example of the fearful results of such an abuse of power.

HERESY, *her'-e-se* (Gr., *hairesis*, choosing for one's self), is now generally understood to mean the act of holding opinions upon religious matters contrary to the authority and teaching of any religious community to which a person may be presumed to owe obedience. Primitively, however, it was used to designate any opinion that a man or a sect might choose to adopt; and in this way it was applied to the philosophic sects of the Greeks and Romans. In the New Testament, even, the term is frequently used to designate a religious sect, without any reproach being implied; but it was used in a reproachful sense by the Apostles towards those who denied their doctrines, and by the Jews towards Christianity. In the writings of the Christian fathers we find the term employed towards those opinions which differed from what was deemed to be the doctrine of the Apostles; and later, when Christian teaching came to be regulated by ecclesiastical councils, any one who rejected their decisions was proclaimed to be a heretic; whilst those who gave their adherence to what was settled by these councils were proclaimed to be orthodox, or catholic. The early fathers gave the number of heresies as ranging between eighty and a hundred and fifty, although Lardner, in his "History of Heretics," demonstrates that these figures are somewhat exaggerated. Nearly all the heretical opinions current in the first two centuries of the Christian era appertain to the creation of the world, to the connection between Christianity and Judaism, and to the person of our Saviour. Previous to the Reformation in England, heresy was enacted, by 2 Henry IV. c. 15, to be the holding of opinions contrary to the Catholic faith and the determination of Holy Church; and the offender might be convicted of heresy at common law by an archbishop in a provincial synod. After conviction, the criminal was to be dealt with according to the king's pleasure. When a person, after having abjured his heresy, again relapsed into it, the king in council might issue the writ *de heretico comburendo*, upon which the criminal was handed over to the secular authority to be openly burnt alive. The first statute of the reign of Elizabeth repealed all previous enactments, leaving it at common law, although it did not determine what heresy actually is, merely limiting it to "such as heretofore hath been adjudged heresy," according to the scrip-

tural authority and that of the four councils. Both Elizabeth and James I. are stated to have burnt heretics; and Lord Coke (3 Instit. c. 5) approved of burning heretics alive. The writ *de heretico comburendo* was abolished by 29 Charles II. c. 9, and henceforth the punishment of heretics was vested in the ecclesiastical courts, who might punish heresy *pro salute animæ*, from a pure regard for the offender's soul. Thus stands the law at the present time, when it is a matter of the utmost difficulty to define either what heresy actually is, or what is the punishment for it. It is true that heresy is left completely to the jurisdiction of the ecclesiastical courts; but as the power of these tribunals has been much limited by the many toleration acts, no less than by the almost indefinite construction that may be placed upon the doctrinal forms of the Anglican church, the practical effect is found to be an almost complete toleration of doctrines opposed to the Articles of the Establishment.

HERIOT, *her'-e-ot* (Sax., *heregate*, literally war-treasure), is a feudal service due to the lord of the manor, upon the death, and sometimes upon the alienation, of a tenant. It consists in rendering to the lord the best jewel, beast, or chattel that was owned by the deceased. This fine was enforced in England prior even to the Norman conquest, and although at this latter period an analogous service, under the name of *Kelfefs*, was introduced, the heriot was not abolished. There are two kinds of heriots; heriot-service and heriot-custom, for the former of which the lord of the manor may either seize or distrain, while for the latter he cannot, although he has the right of choosing the best beast or chattel.

HERITABLE JURISDICTIONS.—A class of jurisdictions in Scotland, held hereditarily from the crown. They were more than a hundred in number, and consisted of sheriffships, constabularies, regalities and bailieries; and the possessors of these jurisdictions exercised an arbitrary power, inflicting punishments, and even death, in complete independence of the common law. They were abolished in 1748 by 20 Geo. II., c. 43, and the previous possessors were indemnified.

HERMANDAD, THE, *her-man'-dad* (Spanish, brotherhood).—Associations of the chief cities of the old kingdoms of Castile and Arragon, for the defence of their liberties. The kings sanctioned the associations as a check upon the increasing power of the nobles. They were first established towards the end of the 13th century. In Castile, the associations became known as the Holy Brotherhood, and, in 1496, the Cortes sanctioned its re-organization and extension, and an annual contribution was enforced on householders for the support of the officials. In 1498, public order having been established, the Hermandad became an ordinary police.

HERMENEUTICS, *her-men'-u-tiks* (Gr., *hermeneutes*, an interpreter).—The science of interpreting or discovering the true meaning of the holy Scriptures. Although often confounded with exegesis, it bears a very marked distinction from that branch of study. (See EXEGESIS.)

HERMIT, *her'-mit* (Gr., *heremitis*, an inhabitant of a desert).—A term often applied in the early, but more frequently in the later, church, to a person who, in order to resist the temptations and cares of the world, withdrew

himself from society to a cavern, a mountain, a desert, or other solitary situation, there to devote himself to prayer, fasting and mortification of the flesh. (See ANCHORETTE, ASCETICISM.)

HERENHUTTERS. (See MORAVIANS.)

HETMAN, *het'-man*.—A title formerly held by the ruling man of the Cossacks, but now restricted to the Cossacks of the Don, the dignity of Hetman of the Ukraine having been abolished by the Empress Catherine. Formerly the Hetman of the Don was elected, but the title is now hereditary in the heir to the Russian throne. The word is sometimes spelled *Ataman*.

HEXAEMERON, *hex'-a-e'-me-ron*.—A homiletical treatise on the history of creation by St. Ambrose, bishop of Milan.

HEXAPLA, *hex'-ap-la* (Gr., *hexaplos*, sixfold.—An edition of the Septuagint version of the Old Testament, prepared by Origen in the 3rd century. In order to restore the purity of the text, Origen at first arranged a Tetrapla, or fourfold version, which he afterwards extended by adding two other texts, and so affording a means of correcting errors which, in the course of multiplying copies, had been made in the current versions of the Septuagint. (See BIBLE.) It contained in parallel columns, the Hebrew text, both in Hebrew and Greek characters. The Septuagint version and the translations by Aquila, Theodotion, and Symmachus. These formed the Hexapla, or sixfold edition; but Origen afterwards added two other translations of the whole Scriptures, and a translation of the Psalms, so that in some parts there were nine columns, and the book was sometimes known as the *Henneapla*, or ninefold. There were, besides the different versions, marginal notes, giving explanations and varied readings. The Hexapla as a whole has long been lost; but fragments have been discovered and printed, especially by a Benedictine monk, Montfaucon, at Paris in 1714. An English Hexapla, containing six English versions of the Bible, arranged in parallel columns, has been published.

HIDALGO, *hi-dal'-go*, a distinction applied to a Spanish gentleman of the lower class of nobility, and derived, according to some authorities, from the words *hijo de alguna*, which mean, literally, "the son of somebody." Others derive it from *hijo del Gato*, son of a Gato, implying purity of descent. The title, although frequently applied during the last century and Middle Ages, is now extinct.

HIERARCHY, *hi-e-rar'-ki* (Gr., *hieros*, sacred, and *archon*, government), literally means a *holy government*, and is used to signify either the constitution and government of the Christian church, or ecclesiastical polity, comprehending different orders of clergymen, and the government of the Church over the State. Taken in the former sense, with reference to the internal government of the Church, the hierarchy arose with the formation of the Christians as an independent establishment; for, although *presbyters*, or elders, were placed at the head of the earliest congregations of Christians, yet their constitution was essentially democratic, each and all of the members having a share in the concerns of the whole society, and a vote in the election of elders, the exclusion of *renegades*, and the reception of proselytes. Afterwards, the government of the

Church became more and more transferred into the hands of the elders; and in the 2nd century, the bishops became chiefs, and took all authority in their own hands, although the elders were still possessed of some semblance of power. (See BISHOP.) According to Dionysius the Areopagite, *hierarchy* also denotes a division of the angels, which were divided into three of these separate constitutions. The first hierarchy was composed of the cherubim, seraphim, and thrones; the second of dominions, virtues, and powers; and the third of principalities, angels, and archangels. Some of the Rabbins reckon four, and others ten hierarchies, or orders of angels.

HIERONYMITES, *hi-e-r-on'-i-mites*.—An order of monks (also known as *Hieronymiani* and *Sandi Hieronymi Eremitæ*), named from Hieronymus, or Jerome. Originally hermits, who, in the 14th century, resolved to adopt the Cenobite life, under the patronage of St. Jerome and the rule of St. Augustine, they were first established near Toledo, and made great progress in Spain and Portugal, their chief seats being at Guadalupe and Yuste, and at the Escorial. The order afterwards gained a footing in America. After the 16th century, it decayed, and is now extinct.

HIEROPHANT, *hi-e-ro-fant* (Gr., *hieros*, sacred, and *phaino*, I show), a title applied to the chief priest who initiated candidates in the Eleusinian mysteries. He was obliged to be a citizen of Athens, was always selected from the family of Eumolpus, regarded as the founder of the mysteries, and was required to be of ripe age, and without any physical defect. He held his office, which was regarded as one of high religious importance, for life. He represented the Demurge, or creator of the universe, and on occasions of public solemnity, carried the image of the goddess Ceres. In consequence of his being the expounder of the sacred mysteries, he was termed the *mystagogue*, or *prophet*; and no one was permitted to utter his name in the presence of an uninitiated person. (See ELEUSINIAN MYSTERIES.)

HIGH BAILIFF.—A legal official who, in certain liberties or franchises, is exempt from the ordinary supervision of the sheriff, serves writs and performs various important duties. The High Bailiff of Southwark is an officer appointed by the Court of Common Council of the City of London; and there is a high bailiff for each county court district. The word "high" is used to imply that the office is of higher dignity than that of an ordinary bailiff. (See BAILIFF.)

HIGH CHURCH, an epithet first applied in English history in the year 1700, to those opinions which tended to exalt the ecclesiastical power, and also to the parties who embraced those opinions. At that period, the High Church party was thought unfriendly to the nation, and disposed to Jacobite principles. After the time of George I., the epithet lost whatever political force it originally possessed; and it is now applied in matters relating to the discipline of the church itself, in contrast to the term "Low Church"—the former attaching more value, and the latter less, to the dignities, ordinances, and ceremonials of the English church. (See APOCRYPHAL SUCCESSION.) Members of the High Church party maintain the doctrine of baptismal regeneration; and they published the famous "Tracts for the Times." (See TRACTARIANS.) They are to be distinguished from the Ritualists (which see).

HIGH COMMISSION, COURT OF.—

An ecclesiastical court, established in 1559, by the first Act of Parliament passed in the reign of Queen Elizabeth, by which all spiritual jurisdiction was vested in the crown. Originally, the court had no power to inflict fines or imprisonment; but it assumed illegal powers under Charles I., at the instigation of Archbishop Laud, and was complained of by the Parliament, and abolished in 1641 by 16 Ch. 1 c. 11. The last sitting was at St. Paul's, on the 22nd of October, 1640. An unsuccessful attempt to reverse the court was made by James II.

HIGHNESS, *hi'-ness*, a title of honour given to kings, princes, and others of royal blood. The title of "highness" was first given to Henry VII., and thence "your grace" were both used by Henry VIII., who, towards the close of his reign, substituted "your majesty" in preference. The children of kings and queens are addressed as "your royal highness," while those of emperors are addressed as "your imperial highness." Among other titles, that of "highness" was conferred by Louis XIV. of France on the prince of Orange, in the year 1644. The prince of Condé was the first to assume the title of "serene highness."

HIGH PLACES.—The name given in Scripture (Hebrew, *hamoth*) to elevated situations on which altars were raised by the Israelites to the gods of the heathen. The practice seems to have been abandoned after the time of Josiah, 16th king of Judah.

HIGH PRIEST.—The chief priest (Hebrew, *Kohenkagadol*) and head of the Jewish synagogue, instituted by Moses, acting under the instructions of Jehovah. The importance of this office was indicated by the most gorgeous apparel; and the high priest was esteemed the most imposing personage of the nation. The dress of the functionary was characterized by his breastplate, composed of twelve precious stones, on which the names of the twelve tribes of Israel were inscribed. (See URIM and THUMMIM.) On the day of atonement the gorgeous dress was laid aside, and the high priest was clad in a simple robe of white linen. To him belonged the exposition of the oracles of God, and no other was allowed to enter the sanctuary, or holiest of holies, in the tabernacle, which he was only allowed to do once a year, in order to pray and sacrifice for the sins of the nation, which were believed to be thus expiated.

HIGH STEWARD.—A peer, now always one of the law lords (those who have held high judicial office), specially appointed by the Crown to preside at the trial of peers indicted for treason or felony, peers having the privilege of being tried by their own order.

HIGHLAND REGIMENTS.—The successful results of establishing the Black Watch (which see) encouraged the Government to increase the force; and several other Highland regiments were formed—the 71st and 72nd, in 1777; the 74th in 1787; the 78th in 1793; the 92nd in 1796; the 93rd in 1800; and the 79th in 1805. By the recent changes in the army regulations the regiments have been united into "line battalions," and are now officially known as the Black Watch (Royal Highlanders), the Highland Light Infantry, the Seaforth Highlanders, the Gordon Highlanders, the Queen's Own Cameron

Highlanders, and Princess Louise's (Sutherland and Argyll) Highlanders.

HIGH TREASON. (See TREASON.)

HIGHWAY.—A public road over which all persons have a full right of way, walking, riding or driving. Highways are either so from usage from remote times or have been made so by Act of Parliament. The parish is bound by common law to maintain all highways, within its bounds, but by special custom the obligation may attach to a particular township or district, and in some cases the conditions of tenancy include keeping a highway in repair. The most recent Highway Acts are 5 and 6 Will. IV. c. 50, the Amending Acts of 1862 and 1864, and the Highways and Locomotive Acts of 1878, 41 and 42 Vic. c. 77. (See ROADS and TURNPIKES.)

HILARY TERM, *hi'-are*, an English legal term, commencing on the 11th and ending on the 31st January, during which time the courts of law sit *in banco* at Westminster. The name is said to be applied in honour of St. Hilary, bishop of Poitiers. In the University of Cambridge, Hilary, or Lent, term begins on the 11th of January, and ends on the day before Palm-Sunday.

HINDOOISM, OR HINDUISM, *hin'-doo-izm*, a term applicable to the religion and social customs of those inhabitants of Hindostan who profess the worship of Brahma. One of the principal features in Hindooism is the system of caste, which divides society into four orders. (See CASTE.) The Brahmins, or the first of these castes, are the priests of their religion, which is a polytheism, or worship of many gods. The great vagueness of the Brahminical language with respect to the attributes of the gods, the long catalogue of fictions tacked on to their exploits, and the endless ramifications of sects, render any clear definition of the Hindoo religion very difficult. The code of Menu, or Manu, is one of the principal foundations of Hindoo faith, and is, besides, one of the few sacred documents out of which anything approaching to a precise idea of Hindooism can be extracted. Its date is given at about 600 B.C.; yet it yields in high antiquity to the Vedas, or sacred books of the Hindoos, the ages of which are stated at from eight to ten centuries before Christ. The code of Menu, however, has the advantage of being comparatively clearer than the older books, and is thus of more value to a modern student. All the sacred books of the Hindoos, although they inculcate the moral duties of justice, mercy, and benevolence, yet seem to give the first place to the ceremonial law. The devotion of the Hindoos, consequently, consists in mere outward observances, and is not felt to be inconsistent with very great deviations from morality. At the foundation of the complicated system of Hindooism lies the doctrine of the existence of one great universal, self-existing spirit, known as Brahm, the primary source of all being. To this supreme deity all natural attributes are ascribed in infinite perfection; but he is not alleged to possess a single moral attribute, and even his natural attributes, though they may be temporarily exercised, are speedily recalled and re-absorbed into his mysterious essence. Throughout all India, there is no worship in honour of Brahm, neither temples nor sacred rites, the reason being that the representing the Supreme Being by images,

or the honouring him by the institution of sacred rites and the erection of temples, is entirely incompatible with every conceivable notion of an all-pervading, immaterial, incorporeal spirit. In order to put forth his energy, Brahm was compelled to assume a form, or the appearance of a form, and for that purpose he drew forth, in some ineffable manner from his own impersonal essence, three distinct beings, or hypostases (distinct personal substance, with common essence), which became invested with corporeal forms. These form the great Hindoo triad—Brahma the Creator, Vishnu the Preserver, and Siva, or Shiva, the Destroyer. It has been suggested that this triad really grew out of an attempt to combine in one three forms of religion—the worship of Siva, the stern god of Western India; of Vishnu, the more benevolent deity of the valley of the Ganges; and of Brahma, the natural product in imagination of the impersonal Brahm. The opinion receives support in the fact that images of a three-faced god are still common in Brahmanical worship. Hindoo adoration, for the present period, is reserved for the Destroyer and the Preserver, Brahma having no temples subsisting to his honour. He is represented as the first being produced by, or rather from, the self-existing Brahm, and to have produced the heavens and the earth, then wind, then the elements, then various deities, sages, &c. These, however, were not creations, but emanations, having always existed, though before unperceived. From his mouth came the priestly caste; from his arms, the military caste; from his breast, the caste of merchants and capitalists; from his foot, the servile caste. When creation was completed, his work appears to have ended. The worship of this god ceased about the commencement of the Christian era. According to the Hindoos, the constant interposition of the Deity is required to maintain a proper balance in earthly affairs. Vishnu the Preserver is represented in the sacred books as having passed through ten incarnations, called Avatars. The first is the avatar of the fish, when the world is described as being destroyed by a deluge. In the second avatar, Vishnu, issuing from the side of Brahma in the shape of a boar, grows in an hour as large as an elephant, and remains suspended in the air, while a malignant giant rolls up the earth and flings it down into an abyss. Vishnu, however, descends into the water, and brings up the earth again on his back, spreading it out "like a carpet on the face of the water." In the third avatar, Vishnu and Brahma churned the ocean like a "pot of milk," in search of the *amrita*, or water of immortality. In the fourth, he appeared as a man with the head of a lion. In the fifth, sixth, and seventh, Vishnu goes through a course of adventures in seeking out impious and cruel kings, and punishing them. In the eighth avatar, he appeared as the beautiful Krishna, the shape in which he is most frequently worshipped. The ninth avatar was the incarnation in the person of Buddha; while the tenth avatar is still to come. Vishnu is then expected to appear mounted on a white horse, with a scimitar blazing like a comet, to mow down all incorrigible offenders who shall be living on earth. As the Hindoos began by dividing the divine power among a triad of rival gods, they soon began to split up into sects, each sect holding its own god to be the only true god. The followers of Vishnu and Siva invented new symbols, ascribing each, to their respective

divinity, the attribute of creation, and these gods are almost numberless. This contention for superiority ended in the total suppression of the worship of Brahma, and the temporary submission of Vishnu to the superior Siva. This, however, did not last long, and crusades were raised by the sects against each other. Absorption into the essence of Brahm is the highest reward of the holy Hindoo. In order to attain this state of beatitude, a large number of injunctions have been laid down, to which he must duly attend. He must injure nothing animated, must subdue all sensual appetite, and perform all the rites prescribed in the Vedas. As the divinity can only be approached in a state of the greatest purity, and as the supposed causes of impurity are exceedingly frequent and numerous, the Hindoo has to perform a great number of religious ceremonies every day of his life. The modes of purification are very various and strange, many of them being very ridiculous. Of these bathing is the most rational; the other modes are by stroking a cow, looking at the sun, or having the mouth sprinkled with water. Inanimate objects need purification also: land is made pure by sweeping, by scraping, by allowing a cow to pass a night upon it, &c.; folded clothes must be sprinkled with hallowed water, and wooden utensils planed. The expiation of sin by voluntary penance is another favourite doctrine of the Brahmans, by which they contrive to awe superstitious minds into subjection. (See FAKIR.) The ordinary course of worship among the Hindoos consists in walking around the temple, with the right hand towards, then entering, the vestibule and striking on a suspended bell, presenting an offering, saying a short prayer, or simply lifting the hand to the forehead. Special acts, supposed to be of extraordinary merit, are sometimes performed, such as long fastings, digging public wells, erecting and repairing temples, and making pilgrimages. The junction of the Ganges and the Jumna is a place of peculiar sanctity, and a favourite dying place of the devout Hindoo. Many of them drown themselves at the junction of the streams every year, and the rapidity with which the victim sinks is a token of his favourable acceptance by the god of the river. In order to gain the good graces of the deity, the devoted person, with pots of earth fastened to his feet, is carried out into the middle of the stream. The devout multitude contemplate the scene from the surrounding banks, and applaud the victim if he retains a steady and resolute countenance to the last. The highest mode of sacrifice, however, is that of the wife who consents to be burnt alive with the dead body of her husband. In such case, should her husband have even killed a Brahmin, broken the ties of gratitude, or murdered his friend, she expiates the crime. The ancient and widely-diffused doctrine of metempsychosis, or transmigration of the soul, is also one of the Hindoo doctrines. The reward, however, of the highest virtue of the soul long engaged in pure and profound meditation, and of exquisite abstemiousness, is, that it shall be absorption into the divine essence, when it shall ever after be exempt from transmigration. Brahmanism, as a religious system, is rapidly lessening its hold on the educated classes, and being substituted by a simple form of Theism; and, in Northern India, Mohammedanism is obtaining many converts.

HIRING, hire-ing.—A contract by which one person becomes, for a limited time, entitled

to the advantage of another's property or labour, for some stated consideration. (See LANDLORD AND TENANT.) In making engagements, for hire of goods or labour, it is always advisable to have express stipulations to provide against loss by accident, delay, or inefficient service.

HOBBS, PHILOSOPHY OF. (See "LEVIATHAN.")

HOLDING, hold-ing.—In Scotch Law, a term corresponding to the English "tenure," denoting the manner in which heritable estate is held.

HOLDING OVER. (See LANDLORD AND TENANT.)

HOLIDAY, hol-i-day.—The original meaning of the word was a day set apart for religious observances, fasts, and thanksgivings, a holy day; but the signification has been extended to include days of recreation and public festivity. In this country, certain days are established holidays, as Sunday, Christmas day, and Good Friday, and these legal holidays, established by Act of Parliament. (See BANK HOLIDAYS.) If a bill of exchange falls due on a Sunday, it is payable the day previous; but if on any of the bank holidays, the day after.

HOLINESS, ho'-le-ness, a title by which the ancient Greek emperors were addressed, but which is at present only applied to the Pope, as head of the Roman Church. The term itself is equivalent to the Latin "Sanctissimo," which is more commonly used.

HOLOGRAPH, hol'-o-graf.—A deed or writing entirely in the handwriting of the author himself. In Scotch Law, a will written in his own hand by the testator does not require witnesses.

HOLY ALLIANCE, ho'-le (Sax., *halig*), the name given to a league formed by three of the principal sovereigns of Europe, with the exception of England, after the defeat of Napoleon at Waterloo, on the proposal, it is said, of the emperor of Russia. It professed to be intended to regulate the relations of the various states on Christian principles; but, as in some other cases, profession was not exactly equivalent to practice. The Holy Alliance was published by the emperor Alexander in the year 1816, and by the other powers shortly after. The original terms did not embrace more than the preservation of peace, justice, and religion in the name of the gospel. It was afterwards determined by the heads of the governments of Russia, Austria, and Prussia, to admit other nations within the statutes of the alliance; and, subsequently, England and France joined it by the Declaration of November, 1819. After the Franco-Spanish war in 1823, the Holy Alliance gradually languished, through not fulfilling its purposes; and the events of 1848 practically put an end to it.

"HOLY CATHOLIC CHURCH."—A phrase used in the Apostles' Creed applying to the spiritual church composed of Christians throughout the world. (See CATHOLIC.)

HOLY COAT.—A relic, alleged by ecclesiastical tradition to be the seamless coat worn by our Saviour, preserved in the cathedral of Treves. It is said to have been discovered in the 4th century by the empress Helena, and deposited by

her in that city. It was concealed from the Normans, but rediscovered in 1199, and exhibited. It was again hidden until 1512, when so great an interest was excited by its being shown, that Pope Leo X. appointed it to be exhibited once in every seven years. The practice fell into abeyance, but in 1810 it was again shown, and nearly a quarter of million persons were attracted to the city. In 1844 still greater numbers made pilgrimages to see the coat, and it was alleged that miracles were performed. (See GERMAN CATHOLIC.)

HOLY CROSS. (See CROSS, ELEVATION OF.)

HOLY FAMILY.—In Art, the designation of pictures which represent the Saviour in His infancy, with the Virgin, and in many pictures Joseph, Elizabeth, Anna, the mother of the Virgin, and John the Baptist.

HOLY GHOST. (See TRINITY.)

HOLY LEAGUE. (See LEAGUE.)

HOLY ORDERS. (See ORDINATION.)

HOLY PHIAL. (See AMPULLA.)

HOLY THURSDAY. (See ASCENSION DAY.)

HOLY WATER.—In the Greek and Roman Catholic Churches, water which has been blessed, or consecrated, by an appropriate service, and used to sprinkle the worshippers and the things used in the church. It is kept in a shallow basin, called the "holy-water soup," placed at the entrance of the church. It was formerly used to wash the hands of the devotees, to purify them before commencing their devotions. Some Catholics keep holy water in their chambers to use before prayer, especially at bed-time. In Rome and Moscow, animals are sprinkled with it to keep them healthy and thriving; indeed, in the latter city, there is a particular church to which horses are taken annually for this purpose. The habit of sprinkling the face and hands before entering the sanctuary was prescribed by the Jesuit law; and the practice appears to have prevailed in the Christian Church at a very early period, as it is expressly mentioned by Tertullian at the end of the second century.

HOLY WEEK, commonly called Passion Week, because in that week our Saviour's passion and death took place. It is the last week in Lent, and immediately precedes Easter. By the primitive Christians it was called *Hekdomas magna*, or the great week, and it was kept by them with great reverence, by additional devotions, longer fastings, more liberal alms, vacation from all civil business, and a general release of prisoners, except some particular cases of criminals. (See PASSION WEEK.)

HOMAGE, hom'-aj.—An incident of feudal tenure, by which a tenant promised submission, loyalty, and service to his lord or superior when first admitted to the land which he held of him in fee. According to Sir Edward Coke, the word is derived from the Latin *homo*, "a man;" because when the tenant did his service to his lord, he said, "I become your man," &c. The oath of *fealty*, or declaration of fidelity, was first taken, and then the vassal or tenant did homage to his lord, humbly kneeling, being ungirt, uncovered, and holding up his hands both together between those of his lord, who sat before him. In modern

language, the term homage is generally applied to reverential worship or devout affection.

HOMESTEAD, *hom'-stet.*—The place of dwelling of a family, and held to include out-buildings and to a certain extent land attached. In the United States laws on the subject differing from the laws of England prevail, with some variations in most of the States. These laws afford relief to the family of a man who, by misfortune or otherwise, is unable longer to support them, by placing beyond his control and that of his creditors, a modicum of property, to serve immediate and pressing wants, and provisions are made for securing to some extent the enjoyment of a home and shelter for the family, under the name of a homestead, which is to be held except from the ordinary incident of ownership, the right of alienation, and liability to be seized upon and sold for the payment of his debts.

HOMICIDE, *hom'-c-side* (Lat., *homicidium*), the killing of any human being. Homicide is of three kinds—*justifiable*, *excusable*, and *felonious*. The first has no stain of guilt; the second very little; but the third is the highest crime that man is capable of committing against a fellow-creature. Justifiable homicide is of various kinds, including such as arise from unavoidable necessity or accident, without any imputation of blame or negligence in the person killing. The general principle of the law is, that when a crime in itself *capital* is undevoured to be committed by force, it is lawful to repel that force by the death of the party attempting it. Excusable homicide is committed either by misadventure or in self-defence. Homicide by misadventure is where a man doing a lawful act, without any intention to hurt, and using proper precaution to prevent danger, unfortunately kills another. Homicide in self-defence, from a sudden affray or quarrel, is rather excusable than justifiable in the English law. Felonious homicide is an act of a very different character from the two former, being the killing of a human creature, of any age or sex, without justification or excuse. It is divided into three classes—murder, manslaughter, and self-destruction.

HOMILY, *hom'-c-le* (Gr., *homilia*, an assembly), a plain and familiar discourse on some point of religious faith or duty. The term homily was introduced into the Church in order to distinguish the practical nature of Christian discourses from the speculative and ostentatious harangues of the schools of philosophy. In the early days of the Church, only the bishops were allowed to preach; consequently, the homilies of the Greek and Latin fathers are all written by bishops. The privilege of writing homilies was not accorded to priests till the 5th century. The sermons now delivered at almost every religious service are the substitutes for the old homilies.

The Homiliarium, *hom-e-le-air'-i-um.*—Charlemagne ordered Paulus Diaconus and Alcuin to form homilies upon the Gospels and Epistles from the ancient doctors of the Church. The *Homiliarium* of Charlemagne was afterwards published, and translations from this collection continued in use until the 16th century. It contained homilies for all the Sundays and festivals throughout the year. Many of these productions were the work of private persons, and contributed much to nourish the indolence and perpetuate the ignorance of the clergy of the time.

Homilies of the Church of England.—The book of homilies recognised by the English Church is a collection of homily sermons on the doctrines of the

gospel, with an especial view to illustrate the principles of the Reformation. The first portion of this work was published by Crammer in 1547, the first year of Edward VI.; and during the reign of Elizabeth the second part was added by order of Convocation. There are altogether twenty-one homilies.

HOMOIOUSIAN AND HOMOIOUSIAN, *hom-o-od'-se-an, hom-o-i'-ou-se-an* (Gr., *homos*, the same; *ousia*, substance; *homoiotos*, like).—These two words, as descriptive of the nature of the Son of God, were for many years the subject of bitter controversy in the early Church. The difference, it will be seen, depends on one letter; but the question involved was no less than the relation of the Son to the Father. The decree of the council of Nice was in favour of the first word, the acceptance of which was made a test of orthodoxy. It was resented by many of the semi-Arians who maintained the subordination of the Son to the Father. The council of Antioch condemned the decision of the council of Nice, and adopted the word Homoiousian (of a like, but not identical, substance with the Father). The two councils attached different meanings to the word *ousia*, that of Nice rendering it "substance," or "nature," and that of Antioch, "person." Obviously, with different significations of the same word, the opportunities for controversy were considerable, although the real views of each party were nearly identical.

HONOUR, MAIDS OF, in the courts of European sovereigns, are ladies whose duty it is to attend the queen when she appears in public. In England they are eight in number, with a salary of £300 per annum each.

HONOURS OF WAR.—Certain stipulated terms granted to a beaten enemy, by which he is permitted out of a fortress or town, or from a camp or a line of intrenchments, with all the pomp and pageantry of military etiquette. This permission is awarded as a recognition by the victorious general of the courage and honourable conduct of the vanquished defenders.

HONOURABLE, TITLE OF.—A Marquis or Marchioness is styled Most Honourable. The style Right Honourable is given to Peers and Peeresses, the younger sons of Dukes and Marquises and their wives; the daughters of Dukes, Marquises, and Earls; Privy Counsellors; the Lord Mayors of London, York, and Dublin; the Lord Provost of Edinburgh; and the Lord Advocate of Scotland. The younger sons of Earls, all the children of Viscounts and Barons, the Judges of the Supreme Court of Judicature and the High Court of Justice (if not entitled to the higher designation), the Irish Judges, Scotch Lords of Session, and Maids of Honour, are styled Honourable. Members of the House of Commons are referred to as "the Honourable Members," but do not bear the title as a prefix to their names.

HONVED, *hon-red'* (Hungarian, "land-defenders").—The title given in the early period of Hungarian history to the national champions. It was revived in 1848, and bestowed on the volunteers who served against Serbia, and afterwards to the whole of the Hungarian army in the war with Austria. It is now limited in popular language to the Hungarian infantry.

HORSE-GUARDS.—A public building between Whitehall and St. James' Park, where all the military business of the Commander-in-Chief of the army was formerly carried on, but some

of the offices have been transferred to Buckingham Houses, Pall-Mall. The term Horse-guards is also conventionally applied to the military authorities of the head of the army, to distinguish them from the civil staff under the direction of the Secretary of State for War.

HORSE GUARDS, ROYAL. (See HOUSEHOLD TROOPS.)

HOSANNA, *ho-zan'-na*, a shout in praise of God, or an invocation of blessings. In Hebrew, it literally means *sure now*, and the Jews call their feast of Tabernacles the *Hosanna Rabba*—in other words, the great Hosanna. The word itself was used in all their prayers. According to Buxtorf, it meant "Save, I pray." The early Christian Church adopted this word into its worship, and it was frequently used in the communion service, during which the great doxology was sung.

HOSEA, *ho-se'-a* (Hebrew, "salvation"), one of the canonical books of the Old Testament, and the first of the minor prophets. Hosea is the most intensely Jewish, and, of all the prophets, the most obscure in language and treatment and the hardest to be understood. The chief burden of the prophecies is a fierce denunciation of the sinful criminality of the people of Israel, their idolatry, licentiousness, intemperance, falsehood, and their inclination to contract demoralizing foreign alliances; and there are positive assurance of that severe punishment which was inflicted by the Assyrians in the sixth year of the reign of Hezekiah. The prophetic life of Hosea appears to have extended from 784 B.C. to 725 B.C. It is conjectured that he had a great private sorrow in the unfaithfulness of his wife, Gomer, from the allusions in the book, which, however, many commentators consider as figurative. Dean Stanley believed in the reality of the utterances:—"In his own grief for his own great calamity—the greatest that can befall a tender human soul—he was taught to feel for the Divine grief in the lost opportunities of the nation once so full of hope."

HOSPICE, *hos'-pice*.—The name given to establishments for the assistance and shelter of travellers, maintained in some of the Alpine passes by monks, especially the brothers of the great St. Bernard Monastery. There is a hospice of the same kind, but not in the care of monks, on St. Grehard.

HOSPITAL, *hos'-pit-ul* (Lat., *hospitia*), a name given to a building set apart for the purpose of receiving sick, infirm, and helpless persons; the building itself being endowed and supported by charity; from which source, also, medical attendance is provided gratuitously for the *in* and *out-patients*. The name Hospital was generally given in early ages to all houses which were kept open for the reception of travellers; and many of the charitable endowments in England are distinguished by a similar title, and are incorporated bodies, consisting of a master and brethren, and occasionally other extraneous members; the name, however, is now restricted to the sense explained above, with a few exceptions. Even at the earliest times, establishments of this kind were known; and hospitals for the poor and sick may be deemed one of the greatest characteristics of Christianity. The first hospital for the sick is said to have been founded in the latter part of the 4th century. As early as the council of Nice, in A.D. 325, they are spoken of

as commonly known. The first celebrated one which we read of was that endowed by the emperor Valens, at Cassarea, about A.D. 370. In London there are many of these noble institutions, and the principal will be found noticed under their separate names; as BARTHOLOMEW'S HOSPITAL, GUY'S HOSPITAL, &c., nearly all of which are very wealthy, and are supported by endowments, apart from general charity. The construction of hospitals is a subject which has of late years much engaged the thoughts of architects, physicians, and sanitary reformers; and many systems have been proposed as emendations on the old opinions. There are Military and Naval Hospitals in connection with the two services, the most important being, for the Army, Netley, near Portsmouth, and for the Navy, Haslar, at Plymouth.

In Law, a hospital in England denotes an eleemosynary corporation founded for the purpose of supporting certain descriptions of persons; but in Scotland the name is more generally given to an endowment for the education as well as support of children, as in the case of Heriot's and Donaldson's Hospitals.

Hospital Saturdays and Sundays are days on which collections are annually made on behalf of the metropolitan hospitals. Hospital Sundays were begun at Birmingham in 1839, and were afterwards observed at Glasgow and Manchester. The first in London was in 1873. On the appointed day in June, collections are made in places of worship of all denominations, amounting in the average to £257,000. On Hospital Saturdays (the first in 1875), usually in the first week of September, collections are made in the streets by ladies who have tables in prominent positions, and obtain an average amount of £6,000.

HOSPITALLERS, *hos'-pit-ul-lerz*, in its original acceptation, a term applied to certain religious bodies, residing in *hospitals*, who held it their sacred duty to supply lodging and entertainment to all engaged in pilgrimages. There have been many important institutions of the kind.

Order of St. John of Jerusalem.—This was a well-known religious body instituted at Jerusalem about the end of the 11th or beginning of the 12th century, and much favoured by Godfrey de Bouillon and his successor Baldwin, king of Jerusalem. At the commencement of the 12th century, it is stated that they came to England and had a house built for their order in Clerkenwell, and became more celebrated, with a greater share of importance attached to them, than any similar body in Europe. In costume, they followed the rule of St. Augustine, and wore a black habit with a white cross embroidered upon it. They were first termed Knights of Rhodes, and laterly Knights of Malta; those two islands having been conferred upon them by different monarchs. The order was suppressed in England in the reign of Henry VIII.

HOSPODAR, *hos-po-dar'*, a title, called also *Woiwode*, formerly borne by the princes of Moldavia and Wallachia, who were invested with the authority of the Porte, whose lieutenants they were. These two principalities now form the independent Kingdom of Roumania.

HOST, *hoaste* (Ang.-Nor.; Lat., *hostia*, a victim), a term applied, in theological language, to the consecrated bread or wafer used by the Roman Catholic Church in her celebration of the Eucharist. It is unleavened, thin, flat, and of circular form, and has certain mystic signs impressed on its surface. The host is supposed, after being blessed, to be no longer bread and wine, but to be transformed into the real body and blood of Christ. (See TRANSUBSTANTIATION.) In all Catholic countries the elevation of the host is a ceremony which is generally adopted at cer-

tain times and seasons, when the consecrated wafer is raised aloft and carried in procession through the churches and streets of the city, the people falling on their knees and worshipping it in its passage past them. This custom is said to have originated in the 12th century, when it was thought necessary to make this public and conspicuous declaration of the Eucharist, on the occasion of Berengarius promulgating his opinions against transubstantiation.

HOSTAGE, *hos'-tāj*, a person delivered to an enemy or hostile power as a pledge to secure the performance of a treaty, or stipulations, of any kind, and on the conclusion of which the person is to be released. Formerly the custom of taking hostages was so common that it gave rise to many questions in the law of nations; but now it is almost unknown in the relations between civilized communities. Hostages were divided into two different classes—principal and accessory; the latter being when it was expressly stipulated by the treaty that the hostage should be answerable for the event.

HOTCHPOT, *hotch'-pot*.—An old law phrase, meaning the putting together lands for the equal division of them; or the taking into account any sum received by one child out of the father's personal estate, before sharing the property among all the children, after the father's death, under the Statute of Distributions. (See DISTRIBUTIONS. STATUTE OF.) The term is derived from an old dish so called, in which meat, cut into small pieces, was stewed with herbs and roots.

HOUSE, in Law, the right of an English occupier to the protection of his house is a constitutional safeguard, and is popularly expressed in the phrase "An Englishman's house is his castle." A bailiff must not break open a door, for the purpose of making an arrest or seizing goods for debt, and no civil process will give him the right to do so; but where a person is charged with a criminal offence, a constable having the authority of a warrant is entitled to break into a house for the purpose of making an arrest. In Scotland, however, a house may be broken into for the purpose of executing a civil process. A man is entitled to defend his house against trespassers and thieves, using such force as is necessary, even under very strong necessity, to the extent of killing the intruder. (See HOMICIDE.)

HOUSE-BREAKING, is a popular phrase in England for breaking into a house in the daytime for the purpose of robbery. In legal language the offence is larceny or robbery in a dwelling-house. Burglary is house-breaking in the night. (See BURGLARY.)

HOUSE OF COMMONS AND HOUSE OF LORDS. (See PARLIAMENT.)

HOUSE OF CORRECTION. (See PRISON.)

HOUSE-BOTE. (See ESTOVERS.)

HOUSEHOLD TROOPS, *house'-hold*.—That part of the British Army which is distinguished as the Guards, or Household Troops, consists of three regiments of cavalry and three of infantry. They were originally raised as a body-guard for the sovereign, and a portion of them is always on duty in the vicinity of the residences of the Queen at Windsor and in London. These regiments are considered to be the finest

in the British Army, and the officers rank with those of higher nominal grade in other regiments. The three regiments of cavalry are called the 1st and 2nd regiments of Life Guards, and the Horse Guards, or Oxford Blues; and the three regiments of infantry are termed the 1st, or Grenadier Guards; the 2nd, or Coldstream Guards; and the 3rd, or Scots Guards (formerly known as Scots Fusiliers).

Life Guards.—The origin of the 1st and 2nd Life Guards is found in a body of eighty Cavalier gentlemen who were enrolled as a corps, under the name of "Life Guards," for the protection of Charles II. against the attempts of the fanatics of the republican party, and the reckless and desperate Fifth-monarchy men, who openly avowed their intention of assassinating him. It was not, however, until June 25, 1733, that the 1st and 2nd regiments of Life Guards were embodied under this title by George II., being formed out of four troops of horse, two of which had been previously distinguished as Horse Grenadier Guards, and the remaining two as Life Guards. The Life Guards distinguished themselves in the Peninsula and at Waterloo, and a troop took part in the Egyptian campaign of 1882. The uniform coat is scarlet, with blue facings, and white plumes, and brass helmets, steel cuirasse, and white leather breeches with jack-boots are worn. They are armed with rifled carbines, pistols, and swords.

Horse Guards, or Oxford Blues, as they were called, to distinguish them from the Dutch Guards introduced by William III., equipped in uniform of a similar colour, were raised in 1661 from the remnants of the Commonwealth's disbanded army. The regiment served under the Duke of Marlborough in his great campaigns, and under the Duke of Wellington in the Peninsula and at Waterloo. A troop of the regiment also served in Egypt in 1882. The uniform and equipment, except in the blue colour of the coat, and the red plume, is similar to that of the Life Guards.

Grenadier Guards.—The 1st regiment of Foot Guards. Many of the English gentlemen who shared the exile of Prince Charles (afterwards Charles II.) were formed into six regiments, the first of which was entitled the Royal Regiment of Guards. It was under the command of Lord Wentworth, and was quartered at Dunkerque. After the Restoration, the King raised another regiment of Guards under Colonel Russell, and in 1662, when Dunkerque was surrendered to France, Wentworth's regiment was united with Russell's, forming the First Regiment of Guards, the others being the Coldstream and the Scots Fusiliers. The regiment highly distinguished itself in the Peninsula, at Waterloo, and on various occasions in the course of the fierce fighting in the Crimean war. A battalion did good service in Egypt, under Sir Garnet Wolsley in 1882. The regiment is now divided into three battalions, each of about 800 men. The uniform is red, with blue facings and a bearskin cap. On the collar of the tunic is a yellow grenade, and in undress a red band round the cap. The weapons are a rifle and bayonet. The distinctive name "Grenadier" was given after the battle of Waterloo, in which the regiment drove back and almost annihilated the famous French Grenadiers of the Imperial Guard.

The Coldstream Guards were General Monk's own regiment of infantry, that had served under him during the Civil War and the time of the Commonwealth, and which he had recruited and reorganized at Coldstream, a small town on the borders of Scotland, during his sojourn there in 1659, prior to marching thence to London to bring about the restoration of Charles II. to the throne of his ancestors. The uniform is similar to that of the Grenadiers, with some slight variation in the buttons of the tunic, on the collar of which is St. George's Cross in red on a white field. The undress cap has a white band. This regiment has a very brilliant record of military service in Egypt, the Peninsula, at Waterloo, and in the Crimea. There are two battalions, each of average regimental strength.

Scots Guards.—This regiment was raised in Scotland shortly after the accession of Charles II., and is first mentioned as a part of the British army in 1686; but was not put on an equal footing with the two other regiments of Guards until the Union of England with

Scotland in 1757. The uniform differs only in having on the collar of the tunic a red St. Andrew's Cross on a white field; and the band of the undress cap is a red and white check. There are two battalions, each of about 800 men.

HUDSON'S BAY COMPANY, *hūd'-sonz*. A company established as the Governor and Company of Adventurers of England trading to Hudson's Bay, for carrying on the fur trade, to which Charles II., in 1670, granted a charter, empowering it to trade exclusively with the aborigines in and around Hudson's Bay. Prince Rupert was at the head of the Company, and as the fur trade was then very lucrative, the Association soon rose to prosperity. The charter having expired in 1809, the territory owned by the Company was transferred to the Dominion of Canada for £300,000, and was named Manitoba. A portion of the inhabitants resented the annexation, and an insurrection broke out, but was suppressed by the Red River expedition under Colonel Garnet Wolseley.

HUE-AND-CRY, *hū'-and-kri* (Fr., *huer*, to shout; *crier*, to cry aloud).—In Law, a custom of ancient origin, and the common process employed in the pursuit of a felon or offender. Although the term has, in a great degree, fallen into disuse, the process is still acknowledged by the English law, which allows that a hue-and-cry may be raised by a precept of a justice of the peace, and even by a private person, in the absence of the constable; but should the latter be accessible, it is the duty of the individual to make known to him the circumstances of the felony and the person of the culprit. An official gazette, the *Hue and Cry*, containing descriptions of offenders "wanted," was established in 1711.

HUGUENOTS, *hū'-yo-nots*, a term of contempt formerly applied in France to the early followers of Luther and Calvin. The origin of the word is uncertain; but it is stated to be derived from *eidgenossen*, "bound together by oath," a term borrowed from the motto of the confederate cantons of Switzerland by certain inhabitants of Geneva, who were among the earliest to introduce reformed notions upon religion into France. The history of the rise, and progress and persecutions of the Huguenots forms one of the chief and most painful chapters in the annals of France.

HUMANITARIANS, *hu-man-i-tair'-e-ans*.—A name given to those who assert that Jesus Christ was a mere man, and deny divinity in every sense of the term. Advocates of this opinion appeared as early as the first Christian centuries; but they and their successors must be distinguished from the Arians or modern Unitarians, most of whom admit that Jesus, although a created being, and therefore not of the same essence as the Godhead, was of a higher than mere human nature and divinely inspired. The Modern, or "advanced" school of Humanitarians, followers to some extent of Theodore Parker, describe Jesus as "a man of exemplary character, constituted in all respects like other men, and subject to the same infirmities, ignorance, frailties, and prejudices." The name is assumed by some who are not members of any sect, and who ignore the dependence of man upon supernatural aid, believing that his innate powers are sufficient for him. "A good man is good enough for any where," were the words of one of this class of thinkers. (See **POSITIVISM**.)

HUME'S PHILOSOPHY. (See **SCPTISM**.)

HUMILIATA, *hu-mil-i-a-te*.—A congregation of monks said to have been formed in 1102, by Milanese nobles, who had been imprisoned by Frederick I. In 1470, the order which had as many as 90 monasteries, was suppressed by Pius V., the reason given being the avarice and cruelty of the monks.

HUNDRED, *hun'-dred* (Ang.-Sax.).—A part or division of a shire, so called either because, of old, each hundred found 100 hide-jussors or sureties of the king's peace, or 100 able-bodied men for his wars. By others it is supposed that the hundred originally consisted of 100 families. It seems, however, probable that the term had different significations in different parts of the country. Hundreds were first introduced into England by Alfred, king of the West Saxons. The divisions are still marked in county maps, and, as a convenient method of reference, are frequently made use of in Acts of Parliament.

HUNS, AND HUNNI, *hunz*, *hun'-ni*, names given by historians to several nomadic Scythian tribes, which devastated the Roman empire in the 5th century. It is generally supposed that they inhabited the plains of Tartary, near the boundaries of China, many centuries before the Christian era; and they were known to the Chinese by the name of Hionggun, and also Hun. The Huns split up into two separate nations, named respectively the Northern and the Southern Huns. The first-mentioned of these gradually went eastward to the Volga, where they encountered the Alami, whom they defeated. Here the Huns remained for some two centuries; but, under the emperor Valens, they crossed the Bosphorus; afterwards invading Rome, under their leader Attila. After the death of Attila, the Huns broke up into separate tribes, and were driven back by the Goths beyond the Tanais.

HUSBAND AND WIFE, *hus'-band*, (Ang.-Sax.) in Law, are in many respects regarded as in peculiar circumstances, and particular laws are in force regarding them. For most purposes they are looked upon as only one person, the legal existence of the woman being hidden or incorporated in that of her husband; whence she is called a *femme couverte*, and her condition during marriage her *couverture*. For this reason a man cannot grant anything to his wife directly, nor enter into covenant with her; for the grant would be to suppose her separate existence, and to covenant with her would only be to covenant with himself; but a husband may grant to his wife, by means of a trustee or "release to uses," and he may bequeath anything to his wife by will, seeing that that cannot take effect till the coverture is determined by his death. The husband is bound by law to provide his wife with necessities and articles suitable to her rank and social position, as much as himself; and if she contract debts for them, he is bound to pay them; but for anything beyond he is not chargeable. He can return the goods and refuse payment, provided he does so at once; but if he retain the goods, he must pay for them. The husband has the power to choose the place of residence; and if the wife refuses to live with him, he is not answerable for her maintenance. If for any just reasons, such as cruelty on her husband's part, or his keeping a

mistress in the house, the wife leaves the house, she is entitled to obtain necessities, and the husband must pay for them. If the husband, having the means, refuses to support his wife, the parish authorities may distrain on his goods, or in some circumstances he may be imprisoned by a magistrate. If a wife elopes, and lives with another man, the husband is not chargeable, even for necessities, at least if the person who furnishes them is sufficiently apprised of her elopement. If a wife be indebted before her marriage, the husband is bound to pay the debt, for he has adopted her and her circumstances together. In case where the husband has deserted his wife, and she maintains herself by her own exertions, her earnings and any property acquired since the desertion are her own, in cases where the marriage took place since 1870; and in all cases a justice of the peace has the power to grant a protection order. (The Acts which apply to this subject are 20 and 21 Vic. c. 85; 21 and 22 Vic. c. 108; and 45 and 46 Vic. c. 75; the Married Woman's Property Act, 1882.) If the wife be injured in her person or property, she can bring no action for redress without her husband's concurrence, and in his name, as well as her own; neither can she be sued without making the husband a defendant, except where he may have abjured the realm, or been banished; for then he is dead in law. In criminal prosecutions, however, the wife may be indicted and punished separately; for the union is only a civil one. In the ecclesiastical courts, also, a woman may sue and be sued without her husband, and also in courts of equity, by means of what is called a next friend, where the interests of the two are adverse. Though in general the law considers man and wife as one person, yet there are some instances in which she is separately considered as acting by his compulsion. In some felonies, too, and other interior crimes, committed by her through constraint of her husband, the law excuses her; but this does not extend to treason or murder. (See DIVORCE and MARRIAGE.)

Married Women's Property.—Great changes were made in the law respecting the property of married women, by 45 and 46 Vic. c. 75, passed in 1882, and coming into operation on the 1st of January, 1883. This Act repealed the Married Woman's Property Act of 1870 (13 and 34 Vic. c. 93), and the Amendment Act of 1874 (17 and 38 Vic. c. 50). The following are the chief provisions of this Act, which introduce most important changes in the relative positions of husband and wife. A married woman may hold property and enter into contracts to the extent of her separate property, and if she carries on a trade separately from her husband, she is subject to the bankruptcy laws, as if she were a *femme sole* (an unmarried woman). Every woman who marries after the passing of the Act is entitled to hold as her separate property, and to transfer as she pleases, all the property she possesses at the time of her marriage, or that may be afterwards acquired, including wages, earnings, or receipts from any trade, profession, or the exercise of literary or artistic skill carried on separately from her husband. Loans by a wife to a husband for the purpose of carrying on a business shall, in case of his bankruptcy, be considered as assets of her husband's estate; but the wife can claim a dividend, as a creditor, after all claims of the other creditors have been satisfied. Property acquired after the Act has come into operation by a woman married before that time is her own. A married woman may invest in stock, shares, &c., and make deposits in savings banks, and transfer stock or shares, or receive the dividends without the concurrence of her husband; and stock or shares transferred to her shall be deemed to be her separate property. If a married woman uses her husband's money to make investments without his knowledge or concurrence, a judge of the High Court of Justice, or a

judge of a county court, may order the investment and the dividend, or any part thereof, to be transferred to him. A married woman may effect a policy of insurance upon her own life, or that of her husband for her separate use, and the amount so insured by either party for the benefit of each other or their children shall create a trust in favour of the objects so named, and the money payable under such policy shall not, so long as any object of the trust remains unperformed, form part of the estate of the insured, or be subject to his or her debt. Every married woman shall have in her own name the same remedies, civil and nominal, for the protection of her own separate property as if she were a *femme sole*; and civil proceedings may be taken against her husband, and husband and wife shall be competent to give evidence against each other, any statute or rule of law to the contrary notwithstanding. But criminal proceedings cannot be taken against a husband, as to any property claimed by the wife, while the parties are living together, nor, while they are living apart, as to any act done by the husband while they were living together concerning property claimed by the wife, when such property shall have been wrongfully taken by the husband, when leaving or deserting, or about to leave or desert, her. A wife's separate property is to be primarily liable for debts and liabilities contracted by her before marriage, and she may be sued for such debts and for all damages or costs recovered; but in the case of women married before the passing of the Act, the separate liability only extends to property acquired after the Act became law; and the liability of the husband in respect of debts contracted before the commencement of this Act is neither increased nor diminished. For such debts the husband and wife may be sued jointly, and if it be proved that the husband is liable for the debt or damage recovered, the judgment (to the extent of the amount for which the husband is liable) shall be a joint judgment, against the husband personally and against the wife as to her separate property. A wife is liable to criminal proceedings by her husband if she does any act with respect to his property which, if done by the husband with respect to the property of the wife, would make him liable to criminal proceedings under this Act. A married woman having separate property is liable for the maintenance of her husband if he become chargeable to the parish, and is also liable under the same circumstances for the maintenance of her children. The Act does not extend to Scotland.

HUSSARS, *hus-zars* (Hungarian *husz*, twenty; *ar*, pay), a term applied to certain well-known cavalry troops employed in all European armies. The name was first applied to the troops raised by the nobles of Hungary when Matthias Corvin made his appeal to them in 1458. Every twenty houses furnished one man to the troop—hence the origin of the term. The modern hussar equipments are very light and elegant, and their arms consist of a sabre and a pistol. Hussars were first included in the British Army in 1759, and there are at the present time 12 regiments so named.

HUSSITES, *hus-sites*.—John Huss, the Bohemian reformer, was condemned to be burned alive under him by the books, because he endeavoured to reform the Roman Catholic Church. He was carried off in 1415, contrary to the safety given him by the emperor of Bohemia. (See BOHEMIAN BRETHREN, CALISTO, and TABORITES).

HUSTINGS, *hus-tings* (Said *hus-tings* council-house), the principal and ancient market of the city of London, held before the Lord Mayor and aldermen, in the Guildhall. This is of great antiquity, as honourable mention is made of it in the laws of King Edward the Confessor. In the Hustings court, at the present day, the aldermen and four members of parliament are elected. Other cities and towns have also had a

court of the same name; as Winchester, York, Lincoln, &c. In common language, the term hustings is applied to the booth or elevated platform on which candidates at a parliamentary election were formerly nominated, and from which they addressed their constituents before the show of hands was taken. (See PARLIAMENT.)

HUTCHINSONIAN PHILOSOPHY, *hutch-in-so'-ne-an*, a term applied to a system of philosophy first promulgated by John Hutchinson, in the early part of the 18th century. In 1724 he published a strange work, entitled "Moses' Principia," in which he endeavoured to disprove Sir Isaac Newton's doctrine of gravitation. Three years later he followed up his attack upon Newton, and quoted Scripture in proof of the existence of a *plenum*, in opposition to the doctrine of a *vacuum*. His views, although they have not been largely adopted, have found supporters in many able men. The leading points of the Hutchinsonian philosophy are as follows:—that the Bible contains a complete and infallible system of natural history and philosophy, as well as of religion and theology. This, however, is not to be gathered from the ordinary translations, but from the Hebrew original. According to Hutchinson, Hebrew is the only complete and perfect form of speech, and was, on that account, chosen by the Almighty as His instrument of communicating with man. The Bible, however, is not to be interpreted according to the literal meaning of the words. The true sense is typical, and can only be understood by a deep acquaintance with Hebrew etymology; and according to the theory, every root of that tongue contains hidden meanings, and symbolizes some recondite object. The Hutchinsonian theory rejects the received doctrines of gravitation, attraction, magnetism, and electricity, and denies the existence of a vacuum; while it maintains that the operations of nature are carried on by the three agents, *fire*, light, and spirit, which typified the Trinity.

HYKSHOS, *hi'k'-shos* (Egypt., *hyk*, ruler; *shas*, shepherds, or nomads).—The name given to a dynasty of the kings of ancient Egypt. According to the monumental history, as read by Dr. Birch, "It is probable that at the commencement of the 14th dynasty, Egypt was invaded by the Hykshos, or shepherds, and the native monarchs driven to the South. The shepherd kings are said to have easily subjected the country, burnt the towns, devastated the temples, ill-treated the Egyptians, and reduced their wives and children to slavery." These vigorous invaders appear to have established their court at Memphis, and to have reduced the neighbouring country to a tributary condition. In course of time, however, the native princes who had temporarily sought safety in exile, or remained in obscurity, recovered their influence and were able to expel the foreigners. It does not appear that they ruled over the whole of Egypt, but that kings of Egyptian race held Thebes. Many Egyptologists are of opinion that the Pharaoh who raised Joseph to the position of

chief ruler was one of the Hykshos; and that the Pharaoh of the Exodus was one of the race who "knew not Joseph," the kings who succeeded the expelled Hykshos. The kings of the 15th, 16th, and 17th dynasties were Hykshos, whose rule extended from about 2,000 to 1,600 B.C.

HYMN, *him* (Lat., *hymnus*; Gr., *humnos*), a song of praise or adoration in honour of a deity, generally accompanied by some instrument. It is supposed to have been originated by Orpheus and Linus, and Pindar is also said to have made his first essays in literature in the shape of hymns. Amongst the Greeks, the hymn consisted of three couplets—the *strophe*, the *antistrophe*, and the *epode*. St. Hilary, bishop of Poitiers, is said to have been the first who composed hymns for churches. The Te Deum and Benedictus in our liturgy are both called hymns, and the composition of the former is attributed to St. Ambrose, who succeeded St. Hilary in hymn-writing. Those in the Roman breviary were in all probability written by Prudentius. The term is now applied to any short religious poem, not being a version of a psalm, sung in places of public worship. They may be said to consist of four kinds:—1, *Metrical*, or such as were in use in the daily service of the unreformed Church, and of which the only one now formally authorized by the Church of England is the Veni Creator; 2, *Canticles* appointed to be sung or said in the daily service, and divided into verses, and pointed like psalms; 3, those portions of the Communion service which are to be said or sung, but not arranged like canticles, as the Tensanctus and the Gloria in Excelsis; and 4, short compositions adapted to attractive tunes and generally sung by the congregation. Many of the best religious poets, among them Watts, Cowper, Charles Wesley, Heber, Toplady, Bonar, and Montgomery, have produced hymns of great beauty; and collections of the most favourite are used by all Protestant congregations.

HYPOSTASIS, *hi'-pos'-ta-sis* (a Greek word meaning subsistence).—A theological term employed by early Greek writers to indicate the distinct subsistence of the three Persons of the Trinity. There was some difference as to the exact meaning, and much controversy arose (see HOMOUSIAN); but in 357 a synod, presided over by Achanasius, decided that the word was synonymous with *prosopos*, or the Latin *persona*, person; and the word, with that signification, was adopted into the Latin Church.

Hypostatic Union.—A term indicating the union of the divine and human natures in Christ—a union of natures so intimate as to constitute one undivided person, in opposition to the teaching of the Nestorians. (See NESTORIANS.)

HYPOTHEC, *hi'-po-thek* Gr., *hypotheske*, a pledge).—In the Scotch Law, this term denotes a lien over goods in respect of a debt due by the owner.

In Mercantile Law, hypothecation is the pawning of a ship to raise money in an emergency.

I.

ICONOCLASTS, *i-kon'-o-klasts* (Gr., *eikon*, an image, and *klaio*, I break), literally, breakers of images. In Ecclesiastical History, the violent opponents of the veneration of images in the 8th and 9th centuries. The Iconoclasts were excommunicated at the Eighth General Council of Constantinople, held in 809-70. The controversy on the subject led to the separation of the Greek and Latin Church. Many images in churches were destroyed in England and Scotland during the Reformation and the Parliamentary War.

IDEA, *i-de-a* (Gr., *idea* and *eidos*; Lat., *forma*, *species*).—In Philosophy, this word denotes in general whatever is the immediate object of thought. In the Platonic philosophy, however, the word possesses a different and higher signification. According to him, ideas were the patterns after which the Deity made or fashioned the phenomenal or material world. He held that all things consisted of matter and form, and that the matter of which all things were made existed from all eternity, without form; but he believed that there also existed eternal forms of all possible things which exist without matter, and to these eternal and immaterial forms he gave the name of ideas. By Descartes and subsequent philosophers, the term idea has been employed to signify all our mental representations, all the notions which the mind frames of things; and when, in common language, we speak of having an idea of anything, we mean no more by that expression than that we are thinking about it. By idea, Kant designates every conception formed by the reason and raised above all sensuous perception. These he subdivides into empirical, or such as are partly drawn from experience, and pure, such as are totally free from any empirical element. Another division of ideas is into theoretical and practical. As to the origin of our ideas, some attribute all our ideas to sense; others admit that the earliest notions proceed from the senses, yet maintain that they do not produce the whole knowledge possessed by the understanding; while others deny the senses to be anything more than instruments conveying objects to the mind.

Idealism, *i-de-al-izm*, is the doctrine that in external perceptions the objects immediately known are ideas. Of this doctrine there are several varieties. Some absolutely deny the existence of all material substances; others regard the real simply as ideal, and judge the material world to be merely assumed from the ideal; while a third class, without denying or asserting the existence of a material world, are content with confessing an ignorance of its nature. (See BERKELEYAN PHILOSOPHY AND GERMAN PHILOSOPHY.)

IDENTITY, *i-den-ti-te* (Lat., *idem*, the same), denotes the sameness of one thing with the same thing under different circumstances. Thus, personal identity is the consciousness that one has that he is identically the same person that he was months or years ago. By absolute identity is meant that the two elements of thought, objective and subjective, are absolutely one, merely different aspects of one substance. This is maintained by Schelling and Hegel, and is a species of pantheism.

In Law, it is often necessary to prove the identity of persons, and generally the testimony of witnesses who have had opportunities of knowing the persons

where identity is doubted is considered to settle the question. The most extraordinary instance of disputed identity on record is that of the "Lainant" in the Tichborne case.

IDEOLOGY, *i-de-ol'-o-je* (Gr., *idea*, idea; and *logos*, discourse).—Literally the science of ideas, and the term employed by the later disciples of Cordillac to designate their system of philosophy. The name was first employed by Dostutt de Tracy in his work entitled *Eléments d'Idéologie*.

IDOL, **IDOLATRY**, *i'-dol*, *i-dol'-a-tre* (Gr., *eidolon*, an image; *latreia*, worship).—The term idol is generally applied to those figures of metal, stone, or wood, used by the pagans to represent their deities; and the term idolatry to the worship of them. In the Pentateuch and the book of Job—two of the oldest books we possess—idolatry is spoken of; and it is supposed that the practice was conveyed from Egypt to India in the 17th century before the birth of Christ; and from India, in a modified form, to Northern Europe, about nine centuries later. Idolatry included the worship of all beings in heaven and on earth, visible or invisible, living or dead, and also the images or symbols of these. The worship of the sun, moon, and stars, was probably one of the first forms of idolatrous worship. Rapidly, however, it began to embrace other objects, and even assumed a degrading and repulsive aspect. In Egypt, beetles, bulls, and many other animals were worshipped, and the idolatry of that time closely resembled the modern form called *Fetichism*. The ancient Greek and Roman idolatry was dignified by all the charms that art and poetry could throw around it; but the most popular Grecian idols were rude, and almost formless images. It is generally considered that the origin of idolatry was a deification of the unseen, incomprehensible powers of nature. The Roman idolatry was not abolished till 404 A.D., by Honorius, although Constantine had ordered the destruction of all idolatrous temples nearly a hundred years before. Images were neither worshipped nor used in the early Christian churches. The first actual notice of a decree to make an image of Christ is not to be found till the 7th century. Towards the close of the 4th century, pictures of saints and martyrs were admitted into churches. In the next century, images followed, and a species of Christian symbolism was built up out of pictures and images, which represented the leading points of Christianity visibly. For several centuries afterwards, images of the Virgin, saints, martyrs, &c., were honoured with the same observances as the pagans paid to their idols. Lights were burned before them, incense was used, and prayers were offered up to them; hymns were sung to them, and miracles ascribed to them. At the period of the Reformation, however, the Protestant Church abolished the worship of images.

IGNORAMUS, *ig-no-rat'-mus*.—The term used by the grand jury when they throw out or ignore a bill of indictment. It is a Latin word signifying "we are ignorant of the matter," or "we have not sufficient evidence on the subject."

The word is popularly applied to a dunce or very ignorant person.

IGNORANCE, *ig'-no-rans*.—In legal proceedings ignorance of the law is no defence against breach of the law, it being a maxim that *ignorantia juris neminem excusat* (ignorance of the law is no excuse); but in passing sentence, a judge always takes into consideration whether the prisoner or defendant is an ignorant or intelligent person.

IGNORANTINES, *ig-no-ran'-teens*.—An association founded in France, in 1724, under the name of *Frères Ignorantines*, by the Abbé de la Salle, for the gratuitous instruction of poor children, and similar associations have been formed in most Catholic countries. The French brethren, dispersed by the Revolution, were recalled by Napoleon, and re-established as *Frères des Ecoles* (written) in 1806. There are many branches of the association in Ireland.

ILLUMINATI, *il-lu-min-ai'-ti* (Lat., the enlightened).—A name applied to the members of a secret society (the order of the Illuminati, or, as it was at first named, the Order of the Perfectionists), founded at Ingolstadt, in 1776 by Adam Weishaupt, professor of canon law. The professed object of the society was, by one single tie; to unite men of all countries, in spite of different opinions, religions, and ranks; to instruct all classes; and to surround monarchs with men of integrity, justice, truth, and courage. Religious dogmas and forms of worship were rejected, a system of deism propagated, and republican principles maintained. From the ablest of his law-students, Weishaupt selected apostles for his new scheme. These apostles he called *Arcanagists*, and sent to various parts of Europe to work out his new system. Lodges, numbering 1,000 disciples, were established in Bavaria, Suabia, Franconia, Milan, and Holland, before the existence of the society was known at Ingolstadt. The society itself formed a hierarchy consisting of eight grades, exclusive of minor subdivisions; namely, the Novice, the Minor, the *Illuminatus minor*, the *Illuminatus major*, the Scottish Cavalier, the Priest, the Regent, and the King. Young men were preferred, and Lutherans were taken rather than Catholics. The Baron de Knigge and Bode the philosopher zealously promoted the views of the society, which contained, in its most flourishing condition, 2,000 members, including some of the most talented men in Germany. Although Weishaupt professed a detestation of the order of the Jesuits, he imitated their organization and introduced mutual espionage, confession, and other practices, by which the head of the order was to be absolute in directing the actions of his subordinates. A dispute at length arose between Weishaupt and Knigge, when the latter was disposed, retired to Brème, and wrote against the Illuminati. In 1785 the whole society was dissolved by order of the Bavarian government. The papers and documents of the leaders were seized in the following year, and Weishaupt fled to Halle, where he died. A new combination, the founder of which was Dr. Hahrdt, was soon afterwards formed, under the name of the Germanic Union. Although it is doubtful whether this second society ever attained to a perfect organization, it is generally believed that its political intrigues favoured and hastened on the French Revolution.

Other Societies.—Three other societies adopted the

name Illuminati—the Alombrados, in Spain, at the end of the 16th century, an association of mystics; the Guernets, of France, about a hundred years later; and, after the lapse of another century, by a similar society in Belgium.

IMAGE-WORSHIP AND IMAGE-BREAKING. (See ICONOCLAST, IDOL.)

IMAGINATION, *im-aj-in-ai'-shun* (Lat., *imago*, an image).—In Philosophy, this is a term used in various significations. According to Dr. Reid, imagination, in its proper sense, signifies a lively conception of objects of sight, being distinguished from conception as a part from a whole. Others, however, employ the word in a much wider signification; some as synonymous with fancy; others as denoting generally that faculty of the human mind by which thoughts or ideas are produced at will. Philosophers have divided imagination into two,—the reproductive and the productive. By the former, they mean imagination considered as simply re-exhibiting or representing the objects presented by perception, that is, exhibiting them without addition or retrenchment, or any change in the relations which they reciprocally held when first made known to us through sense. The productive or creative imagination is that which is usually signified by the term imagination or fancy in ordinary language. Perhaps imagination may be defined as an appreciation of the possible as superadded to the actual fact. There is the imagination of abstraction, the imagination of wit, the imagination of judgment, the imagination of reason, the imagination of feeling, the imagination of the passions.

IMAUM, *i'-maum* (Arabic, a teacher).—A name commonly given to the priestly body, or *ulema*, of the Mohammedans.

IMMACULATE CONCEPTION OF THE HOLY VIRGIN, *im-mak'-u-lait kon-sep'-shun* (Lat., *immaculatus*, spotless, pure; *conception*, the act of conceiving).—A festival observed in the Roman Catholic Church on the 8th December, in honour of the alleged conception of the Virgin Mary without sin. This doctrine was first promulgated about the middle of the 12th century. The devotion to the Virgin had reached such a height, that many obscure theologians set on foot the idea, that not only was she sanctified from her birth, but also that she was conceived without sin. The Franciscans zealously supported the doctrine, but the Dominicans opposed it. For a long time there were no disputes as to its acceptance; and it was not defined as an article of faith until the 8th December, 1854, when Pope Pius IX. declared it in the following words:—"We define the doctrine which holds the most blessed Virgin Mary, in the first instance of her conception, to have been preserved free from all stain of original sin," &c., &c. The dogma is now generally accepted by Roman Catholics.

IMMATERIALISM. (See MATERIALISM.)

IMMERSION, BAPTISM BY. (See BAPTISM.)

IMMOLATION, *im-mo-lai'-shun* (from Lat., *immolare*, to sacrifice).—A ceremony used amongst the Romans with regard to their sacrifices. It consisted in throwing frankincense, wine, and a species of cake, on the head of the victim, before it was sacrificed; consequently, when immolation was performed, the victim was already doomed, and the term became applied to the sacrifice itself.

IMMORALITY, *im-mor-ral'-e-te*.—In Law, an immoral consideration is a good defence to actions and suits; that is, a consideration given to induce a person to commit an immoral act.

IMMORTALITY, *im-mor-tal'-e-te* (Lat., *immortalis*).—That quality of perpetual existence which differs only from eternal in the one respect, that the former has a beginning, which does not belong to the latter. Eternity is the attribute of the Deity himself, while immortality only applies to some of his creations; as the soul, for example. The dogma which insists on the immortality of the soul is very ancient, and is connected with almost all religions, although, of course, under a variety of conceptions. The hope of immortality must be considered a religious conviction, and not an argument which can be proved by any commonplace similes of every-day life.

IMMUTABILITY, *im-mut'-a-bi-li-te*, unchangeableness, one of the attributes declared by Scripture to belong to God. We should be in error, however, in supposing that the Divine Being never changes His feelings, or even His administrations, and adapts it to the great purposes He is executing. The term only indicates that He is unchanging in His moral character, not subject to the changes, as youth, age, inadequate knowledge or increased experience, as mortals are.

IMPALEMENT, *im-pail'-ment* (from Lat., *in*, and *palus*, a stake).—A mode of punishment practised formerly by the Turks and other uncivilized nations. It consisted in thrusting a stake through the body, and thus leaving the victim to a lingering death. Instances are recorded of persons who endured this horrible torture for several days, before death released them from their sufferings. The sculptures discovered at Nineveh show that impalement was commonly practised by the Assyrians towards their captives, and that the instrument of punishment, the stake, was thrust through the body immediately under the ribs. When Darius took Babylon, he impaled no less than 3,000 prisoners, as is stated by Herodotus. Impalement is said to be still in use in the East, the Chinese being the people amongst whom it is most employed as a mode of punishment.

IMPANATION, *im-pan-a'-shun* (Latin, *panis*, bread).—A term used to signify the opinion of the Lutherans with respect to the sacrament of the Lord's Supper; but which was held by others long before the time of Luther. According to this view, the body and blood of Christ become united with the elements of the eucharist without any change in their nature. "The body," according to Luther, "is really present in the bread, the substances being in each case so mixed together that each retains its own proper operation and nature, and yet together they constitute a single object."

IMPEACHMENT, *im-peetsh'-ment* (Lat., *impeto*, I prosecute), in Law, is a prosecution before the Lords, by the Commons in Parliament, of persons accused of treason, or high public crimes, and misdemeanours of an inferior description. A commoner cannot, however, be impeached before the Lords for any capital offence, but only for high misdemeanour; a peer may be impeached for any crime. The first regular instance of this proceeding appears in the reign of Edward III., when the king demanded the earls, barons, and peers, to give judgment against

Simon de Bereford, who had been an accomplice in the treason of Roger, Earl of Mortimer. Previous to that time, the Lords seemed to have exercised a kind of irregular jurisdiction over State offences. In 1376, the Commons first appear as public prosecutors. For some time after this, cases of impeachment were common; but from the reign of Edward IV. down to Elizabeth, no instances occur, bills of attainder, and prosecutions in the Star Chamber, being the means usually resorted to for the punishment of State offenders. In the reign of James I., the practice of impeachment was revived, and has been continued since, the last memorable instances being Warren Hastings in 1788, and Lord Melville in 1805. It is enacted (12 and 13 Will. III. c. 2) that no pardon under the great seal shall be pleadable to an impeachment by the Commons; but this does not affect the prerogative of the Crown in granting pardon after judgment on an impeachment.

IMPEACHMENT OF WASTE.—A Law term applied to a condition on which a person holds an estate for life or for a term of years. He may cut timber, or prefer certain other acts, without "impeachment of waste"—that is, without being liable to the charge of injuring the property; but beyond certain limitations he must not go.

IMPERATIVE, CATEGORICAL.—In the philosophy of Kant, man must recognize two great laws regulating his will, the first urging him to seek his own wellbeing, the second commanding him to be virtuous at any cost. This second law is the "categorical moral imperative."

IMPERATOR, *im-per'-a-tor*. (See **EMPEROR**.)
IMPERIAL CROWN. (See **CROWN**.)

IMPERIUM, *im-pe'-re-um*.—In Roman Law, a sovereign authority entrusted to consuls, pro-consuls, and superior magistrates.

IMPERIAL GUARD, of France, was established by Napoleon in 1804, when he became emperor. The men were selected from the guard of the convention, the directorate, and the consulate, and was raised in time to a strength of over 100,000. In 1815, Louis XVIII. dissolved it, but it was reinstated in 1814 by Napoleon III. In 1870, it was abolished by the Republican Government.

IMPLICATION, *im-pi-li-kai'-shun* (from Lat. *implicio*, I enfold).—A Law term denoting something inferred, without being expressed directly in words; as where a man devises lands to his heirs-at-law after the death of his wife, the latter is said to have an estate for life by implication, though no estate is given to her in express terms.

IMPOSITION OF HANDS. (See **HANDS**, **IMPOSITION OF**.)

IMPOST. (See **TAXATION**.)

IMPOTENCY, *im'-po-ten-se*.—In Law, a physical inability to fulfil the obligations of married life. It is a valid ground, if proved by either a man or woman, for annulling a marriage, if it existed at the time the contract was entered into.

IMPOUNDING, *im-poun-ding*.—In Law, the retaining by the court of a document which has been tendered in evidence, with a view to ulterior proceedings, if necessary.

Impounding Cattle.—The remedy given by law to occupiers of land against cattle belonging to another person, and straying on his land. If there is a public pound (*see* POUND) within three miles of the place, the cattle must be driven to it; if not, he may put them in premises of his own. The owner can only recover possession by paying expenses of food and compensation for damage done. If any question of right is involved, he can obtain the cattle by giving security and bringing an action to pay the right.

IMPRESSMENT, *im-press'-ment*, in Law, is the forcible luyving of seamen for service in the Royal Navy. With certain exceptions, all eligible men of seafaring habits, between the ages of 18 and 25, were liable to be impressed and merchant vessels and privateers were boarded for the purpose. The practice of impressing and granting powers to the Admiralty for that purpose is of very ancient date. Although no statute has expressly declared this power to be in the Crown, yet many of them very strongly imply it. While the practice was in force, many desperate struggles took place between the press-gangs (bodies of seamen sent ashore for the purpose) and the men they tried to capture. There is no difficulty now in obtaining a full supply of men, and it is not probable that impressment, though still legal, will again be resorted to.

IMPRISONMENT, *im-priz'-on-ment* (Fr., *emprisonner*), the restraint of a man's liberty under the custody, charge, or keeping of another. Imprisonment extends not only to a gaol, but to a house, stocks, or where a man is held in the street, &c.; for in all these cases the party so restrained is said to be a prisoner, so long as he has not his liberty freely to go about his business as at other times. No man can be imprisoned except by the lawful judgment of his peers, or by the law of the land; and no man can be imprisoned except as the law directs, either by command and order of a court of record, or by lawful warrant, or the Queen's writ, by which one may be lawfully detained to answer the law. (For further information on the subject of imprisonment, *see* ARREST, BAIL, CONSTABLE, COMMITMENT, COUNTY COURT, FALSE IMPRISONMENT, and HABEAS CORPUS.)

IMPROPRIATION, *im-pro-pri-ai'-shun*, in Law, is where the tithes, glebe, or other ecclesiastical dues of a parish are in the hands of a layman; when such are annexed to any spiritual corporation, they are said to be appropriated.

IMPUTATION, *im-pu-tai'-shun*.—A term of theology, meaning, in the first place, that the sin of Adam is in some way attributed to his descendants, so that they are considered as guilty because of it; and, secondly, that the righteousness of Christ is imputed to the believer, so that he is considered as righteous for Christ's sake. The doctrine has been made the subject of endless definitions and discussions. Some theologians have treated the matter as though sin and virtue were something impersonal, that could be transferred from one to another; but the sense in which the word "imputation" is ordinarily used by most theologians does not, and is not, intended to convey any such idea. Mr Barnes, the author of the well-known "Commentary," clearly expresses the evangelical views of this subject:—"It is not meant that the righteousness of Christ is transferred to them, so as to become personally theirs—for moral character cannot be transferred—nor that it is infused into them; for then they could not be spoken of as 'ungodly';

but it is meant that Christ died in their stead to atone for their sins, and is regarded and esteemed by God to have died for this end, and that the results or benefits of his death may be so reckoned or imputed to believers as to make it proper for God to regard and treat them as if they had themselves obeyed the law—that is, as righteous in His sight."

"IN ARTICULO MORTIS," *ar-tik'-u-lo mortis* (Lat., in the struggle with death).—A law phrase referring to a deed executed by a person in his last moments. In Scotland, but not in England, the heir-at-law can generally set aside such a deed operating as a will.

INAUGURATION, *in-aw-ey-u-rai'-shun*, a word borrowed from the ceremonies used by the Romans when they were received into the college of augurs, and applied to the acting of inducting into office with ceremony. Kings and emperors are *inaugurated* by coronation, prelates by consecration; and other important officers by such ceremonies as give authority to the transaction.

INCA, *in'-ka*, the title borne by the kings and princes of the blood of the ancient kingdom of Peru.

INCARNATION, *in-kar-nai'-shun* (fr. Lat., *caro*, flesh).—In Theology is a term used to denote the taking upon Him of our human nature by Christ Jesus. What the nature of this union of the human and the divine was, we have no means of knowing; that such a union actually did take place, we have the clearest evidence in Scripture, for St. John says: "The Word was made flesh, and dwelt among us." Yet many sects have arisen who have maintained the contrary, and held that the Son of God did not take human nature upon Him. (*See* ARIANS, SOCINIANS, NESTORIANS, &c.) In the Hindoo religion the incarnations of Vishnu are believed as a most important article of faith. (*See* HINDOO RELIGION.)

INCENDIARY, *in-sen'-de-a-re* (Lat., *incendo*, I burn).—One who willfully sets fire to the house or other property, of another person. It is also used in a metaphorical sense to denote a political agitator, one who goes about to inflame people's minds against the government.

Incendiary Letter.—Any person sending a letter threatening to burn the house and premises of another person is liable, on conviction, to three years' penal servitude.

INCENSE, *in'-sens* (from Lat., *incendere*, to burn).—A dry, resinous compound containing odoriferous gums and balsams, generally benzoin, styrax and cascarilla bark, which, when burnt, produces a pleasant perfume. The use of incense in connection with the Eucharist was unknown in the Church until the time of Gregory the Great, in the latter part of the 6th century. It then became prevalent, but has long been disused in the Church of England (except among congregations belonging to the Ritualist party), although it is still adopted by the Romish church. The incense is burned in censers attached to long chains, and swung about by the acolytes. Amongst ancient pagan nations, the perfume of incense was generally offered to the gods, and as the representative of God, the Persians used to burn incense before the king. The word used to describe incense arising from spices, is also used in Hebrew to denote the

smoke arising from the fat of burnt-sacrifices. The incense used by the Jewish priests was a compound of stacte, onycha, galbanum, and pure frankincense. It was to be used specially in the service of Jehovah, as its use in private life was specially forbidden (Exodus xxx. 31-38). The origin of incense in the Jewish form of worship, according to Maimonides, was to prevent the disagreeable effects of having such numbers of animals slaughtered for sacrifice.

INCEST, *in'-sest* (Lat., *incestum*, i.e., *non castum*, not pure), is the marriage or living together as husband and wife of persons within certain degrees of consanguinity. During the Protectorate, incest was made a capital offence; but at the Restoration this law was abolished, and it is now cognizable only by the ecclesiastical courts. In Scotland, the term extends to cohabitation without marriage.

INCLOSURE, *in-klo'-shur*, a term applied to the closing in and partitioning of those lands in England and Wales which are comprehended under the title of commons or common lands. (See COMMON.)

IN CENA DOMINI, *in se'-na dom'-i-ni* (Lat., at our Lord's Supper).—The name of a celebrated Papal bull, one of the most arrogant and pretentious of all that have issued from the Papal see. Founded on more ancient Papal decrees, it was first given forth by Pope Urban V. (1362-70), and afterwards renewed and altered by Pius V. (1567) and Urban VIII. (1627). It lays down the claims of the Church, and pronounces excommunication against all heretics. It was ordered to be read annually in all the churches every Holy Thursday; but in 1770 Pope Clement XIV. discontinued the publication of the bull, which had been strongly objected to by most of the sovereigns of the Catholic States as an infringement of their rights.

INCOME-TAX. (See TAXATION.)

INCORPORATIONS. (See CORPORATIONS.)

INCUMBENT, *in-kum'-bent* (from Lat., *in cubito*, I lie upon, or occupy), a term applied to the holder of an ecclesiastical benefice.

INCUMBERED, OR ENCUMBERED ESTATES COURTS, *in-kum'-berd*.—Tribunals recently established for the purpose of affording facilities for the disposal of landed estates subject to incumbrances. An Act applying to Ireland was passed in 1849. In 1854 an Act of a similar character was passed for the West Indies.

INDIGNITY, *in-dim'-ne-te* (Lat., *in*, and *dignum*, loss).—In a general sense, the making good, or compensating for any loss. An act of indignity is necessary to be passed by Parliament, when ministers, in order to meet some sudden and unforeseen emergency when Parliament is not sitting, adopt measures which are not strictly within their constitutional powers.

INDENTURE, *in-dent'-shur*.—In Law, if a deed be made by more than one party, there ought to be regularly as many copies of it as there are parties, and, until recently, each was, or should have been, cut or indented (formerly in acute angles, *in acutis dentibus*, like the teeth of a saw, but more usually in a waving line), on the top or side, to tally or correspond with each other, which deed so made is called an indenture.

Now, however, since 1845, a deed purporting to be an indenture shall have the effect of an indenture although not actually indented.

INDENTURE OF APPRENTICESHIP.—The formal contract by which a youth binds himself to learn a particular trade in the service of another person. (See APPRENTICE.)

INDEPENDENCE, DECLARATION OF, *in-de-pen'-dents*.—That declaration which was drawn up and adopted by Congress of the United States of America on 4th July, 1776, declaring the freedom and independence of the American colonies, and their absolution from all allegiance to Great Britain. A committee of five was appointed to draw up this document: namely, Jefferson, Adams, Franklin, Sherman, and Livingston; but it was mainly the work of Jefferson.

INDEPENDENTS, OR CONGREGATIONALISTS, *in-de-pen'-dents, kon-gre-ga'-shun-ul-ists*, is the name of a large and influential sect of English Protestant dissenters. They take the name of Independents, because they hold that every single congregation of Christians, when properly constituted with a pastor and deacons (the only officers sanctioned by the apostles), forms an independent body, competent to its own direction and government, without interference from any other church, or any presbyteries, bishops, &c. They therefore hold that each congregation has power inherent in itself to fix its own tenets and form of religious worship, and to exercise ecclesiastical government. They hold a Christian church to be a congregation of true believers: i.e., persons who both openly profess their faith in the essential doctrines of the Gospel, and evince the earnestness of their belief by a corresponding change of disposition and demeanour. They believe that the New Testament authorizes every Christian church to elect its own officers. They have only two descriptions of church officers—pastors and deacons; the former to promote the spiritual, the latter to advance the temporal welfare of the church. The only valid call to the pastorate is held to be an invitation to that office by an individual church; and to a person so invited no license or ordination is considered requisite, in order to confer authority to preach, or to administer the sacraments. Still, after this election by an individual church, an ordination by ministers of the neighbouring churches is general, when the newly-chosen pastor makes a profession of his belief, and receives fraternal recognition from the other pastors present. In the selection of its ministry, a church is not restricted to a special class prepared by education for the office; yet an educated ministry is considered very desirable, and practically almost all the Congregational ministers in modern times receive preparatory training at some of the theological academies belonging to the body. Religious exhortation is permitted and encouraged in all those who, having gifts appropriate, feel prompted to use them. They are opposed to all State interference in religious matters, and to all State endowments for religious purposes. They disavow all subscription to creeds, confessions, or articles of faith; nevertheless, they are distinguished by a singular degree of uniformity in faith and practice. The "Declaration of Faith, Order, and Discipline," issued by the Congregational Union in May, 1833, though not binding upon

any of the churches, is believed to be dissented from by none. The Congregational Union of England and Wales was founded in 1831, and held its first meeting at Reading. It is a delegated conference of ministers and laymen, meeting twice a year, for consultation on the state and prospects of the body; the constitution providing that it "shall not in any case assume a legislative authority, or become a court of appeal."

History of the Independents.—As to the origin of Independency, it is probable that some conventicles were secretly established soon after the accession of Elizabeth; but the first prominent advocate of Congregational principles appeared in 1580, in the person of Robert Brown. (See BROWNISTS.) His followers rapidly increased, so much so that an Act of Parliament was passed in 1593, specially directed against them. They were treated with great rigour, and several suffered martyrdom for their opinions in the reign of Elizabeth. Many were driven to the Continent, and churches were established at Amsterdam, Rotterdam, Leyden, and other parts; Mr. Robinson, who was pastor of the church at Leyden, being frequently regarded as the real founder of Independency, as he modified many of the principles of the Brownists. Mr. Jacob, one of the exiles, returned to England in 1616, and established an Independent church in London. During the Long Parliament, they enjoyed a season of comparative freedom, meeting openly, and gathering strength; and when Cromwell (himself an Independent) assumed supreme authority, their principles obtained a potent recognition, and a general toleration was in a great measure effected. With the Restoration, however, their prosperity came to an end, and by the Act of Uniformity in 1662, about 2,000 non-conforming clergymen were excluded from their places in the church. The Memorial Hall, in Farringdon Street, London, was erected in 1871, as a memorial of the "nobility to conscience" of these ministers; there are a large hall for public meetings, a library, and various offices. The cost of construction was about £30,000. The Revolution of 1688 again brought the Independents comparative freedom, which was confirmed by the Toleration Act of the following year. Yet, for some time after this, Independency did not flourish; and indeed, it was not till the revival of religion, excited by the labours of Wesley and Whitfield, that it again began to prosper; and since that time it has gone on greatly increasing the number of its adherents.

Churches and Training Institutions.—There are nearly 6,500 Congregational churches in Great Britain and Ireland, and about 9,000 ministers. In the Metropolis, there are about 250 churches, and 130 missionary and preaching stations, with 360 ministers. In nearly all the English counties there are Congregational Unions of the churches in the district. There are, in England and the colonies, 19 Congregational colleges, and there are training institutions in India, Madagascar, the South Sea Islands, and South Africa, for the preparation of native pastors and evangelists, conducted by agents of the London Missionary Society. In 1811, the late Mr. E. Miall founded, as an organ in the press of Congregational principles, the *Nonconformist* newspaper, the title of which has recently been changed to the *Nonconformist and Independent*. The first Independent church in America was founded in 1609 by John Robinson, at Plymouth, New England. There are now about 3,500 churches in the United States.

INDEX EXPURGATORIUS, AND INDEX LIBRORUM PROHIBITORUM, in-deks eks-pur-ga-to-re-us li-brō-rum pro-hib-e-to-rum (Lat., purified index (of books), index of prohibited books).—The catalogue of those books which the Roman Catholic Church, on account of heresy, forbids to the laity. The catalogue of such books as are heretical, or contrary to the principles of the Catholic church only in certain parts, is called the *Index Expurgatorius*. In the early Church the reading of certain books is prohibited even to the clergy. In 1546, catalogues

were made public in Louvain, and soon after at Venice, Paris, Cologne, and other places. In 1559, Pope Paul IV. caused the Inquisition to publish a list of prohibited books; and this is the first Roman index proper. A regular form was prepared for them by the Council of Trent, which received the approval of Pius IV. in 1561. The index of Trent was enlarged by Sixtus V. and Clement VIII., the former of whom appointed a special congregation at Rome for taking charge of it. The prohibitions of the Index are of two kinds, either absolute or partial, that is, until the book shall have been corrected. It is impossible in these days to catalogue all books to which the Church might object; but many of the most eminent modern authors are placed under the ban.

INDIANS, AMERICAN.—When Columbus and other early voyagers discovered America, they supposed that they had reached a part of India, and spoke of the native races as Indians, a name which has since been generally applied. The origin of these aboriginal tribes has greatly perplexed ethnologists; but there is now a widely diffused opinion that they migrated at various remote periods from Asia. (See ETHNOLOGY.)

INDICTMENT, in-dit-ment (Lat., *in, and dico, I speak against*). In Law, is a written accusation of one or more persons, of a crime or misdemeanour, preferred to, and presented upon oath by, a grand jury. (See GRAND JURY.)

INDIRECT TAXES. (See TAXATION.)

INDUCTION, in-duk-shun (Lat., *inductio*), a method of philosophical and mathematical reasoning, but better known in the latter branch of science under the name of *successive induction*. As it collates truth from a demonstration and this demonstration implies the examination of every particular case of which it is formed, it follows that the mathematical sense of the word is truly logical in its expression. Hypothesis is one of the strongest proofs used in reasoning by induction. (See HYPOTHESIS.)

In Ecclesiastical Law, induction denotes the investing or giving possession of a benefice to a clergyman. The bishop issues a mandate to the archdeacon or other authorized person, who at the time of induction takes the clergyman by the hand, and lays it on the lock or latch of the church door, then opens the door and puts him into the church. In some parishes the new incumbent is shut in, and tells the bell for a few minutes to give notice to the parishioners.

INDUCTION, in Logic. (See DEDUCTION.)

INDUCTIVE PHILOSOPHY, in-duk-tiv (Lat., *in, and duco, I lead*).—That process of reasoning which raises individual cases into general, and those again into still higher generalities. Every deduction, properly so called, must rest on a prior induction. As this would necessitate an impossibility, for the particulars to be observed are infinite in number, it is necessary to allow some spontaneous action of the understanding in every inductive process. "Two things," says Dr. Whewell, in his "History of the Inductive Sciences," "are requisite to the formation of science, facts, and ideas—observation of things *without*, and inward effort of thought; or, in other words, sense and reason. Neither of these elements by itself can constitute substantial general knowledge." Many facts in physical science, such as the motions of the stars and the weights of bodies, were familiar to man

long before the rise of Greek astronomy and mechanics. What was wanted was the act of thought. Even at the present day, tribes of uncivilized and half-civilized men, over the surface of the earth, have before them the immense body of facts, out of which the civilized world has erected the stately fabric of physical philosophy. Yet the process of intellect by which these facts became science seems to have been unknown.

INDULGENCE, *in-dul'-jens*.—The Catholic doctrine of indulgence does not, as some Protestants suppose, imply a remission of sin, a permission to commit sin, or a promise of forgiveness for future sin. Pope Pius VI., in the famous bull, *Auctorem Fidei*, explains that "an indulgence received with due propositions remits not alone the criminal penance attached to certain crimes in this life, but also the temporal punishment which would await the penitent after death to be endured by him in purgatory." This must, however, it is maintained, be understood to refer only "to the faithful who are truly penitent and have confessed." The Church professed to supply from the inexhaustible treasures of the atonement of Christ, and of the supererogatory work of the saints, what may be wanting to the completeness of the atonement of the less perfect but yet truly penitent sinner to whom she grants the indulgence. (See **SUPEREROGATION**, **WORKS OF**.) The penitent was enjoined, as a condition, to perform certain "good works," such as saying a certain number of prayers, visiting particular churches; and, in course of time, when the Papal treasury ran low, the performance of these acts was commuted for money payments. At the time of the Crusades, service in the Holy Land, "for devotion alone, and not for greed or glory," was accepted as a substitute for all penance. This indulgence was described as *plenary*; but there was also a *partial* indulgence, which relaxed only a portion of the penitential works. These indulgences were so freely given that scandal arose, and Pope Innocent III. restricted the right of the bishops to granting only partial indulgences, reserving to the Pope alone the power of granting the plenary. In 1313, Clement V. made public sale of indulgences. Julius II. bestowed indulgences on all who contributed towards building the church of St. Peter's at Rome; and in 1517, partly with the intention of raising funds for the same purpose, Leo X. allowed agents, especially the notorious Tetsel, to make an open market of the pardoning power; and the resistance to this abominable traffic led to the vigorous protest on the part of Luther and the accomplishment of the Reformation.

INDUSTRIAL ACCESSION.—In Scotch law, the increased value given to property of any kind by the labour and skill which may have been exercised upon it.

INDUSTRIAL SCHOOLS.—Schools for poor children, where they are lodged, fed, and clothed, receive an elementary education, and are instructed in some industrial occupation. They are partially supported by the State on the recommendation of the Home Secretary; and magistrates have power, in the exercise of their discretion, to send to properly certified industrial schools children found begging or charged with offences; refractory children in charge of a parent, or in workhouses or pauper schools. The Acts of Parliament referring to industrial schools

were consolidated in 1866, and extended to Ireland in 1868. Under the provisions of the Education Acts of 1870 and 1872, school boards may establish and maintain industrial schools.

INDUSTRIAL SOCIETIES.—Associations of a co-operative kind, formed for the purpose of carrying on some manufacture or trade, the profits of which are to be applied to the mutual benefit of its members. The law relating to such societies is embodied in the "Industrial and Provident Societies Act, 1867." There must be more than seven members in each society, but no member's interest must be more than £200. The rules must be certified by the Registrar of Friendly Societies; and a statement of the affairs of the society must be sent annually to the registrar.

IN ESSE, *in es'-se* (Lat., in being).—A term applied to things actually existing; and is distinguished from *in posse*, applied to things which are not, but which might be.

INFALLIBILITY, DOCTRINE OF, *in-fal'-li-bil-i-ty*.—The Roman Catholic Church claims an immunity from error by the abiding assistance of the Holy Spirit. The Greek Church claims historical infallibility; that is, of the councils accepted by that church as ecumenical. (See **ECUMENICAL COUNCILS**.) It was long a matter of controversy within the Roman Church whether the infallible judgment of the Church was to be limited to decisions in which the Pope and bishops concurred, or to be expressed by the Pope only. The Gallican divines did not accept the infallibility of the Papal judgment independent of that of the great body of the Church; while the Ultramontanes affirmed the contrary. The Vatican Council of July, 1870, settled the question by promulgating the decree that the Pope is infallible in matters of faith and morals, and all subjects which are necessary for the maintenance of Divine truth in the church, but his infallibility does not extend to science, matters of fact, or abstract opinions unconnected with religion. (See **COUNCILS**, **GERMAN CATHOLICS**, and **JANSENISM**.)

INFAMY, *in-fam-e* (Lat., *infamia*).—In Law, is defined to be "a permanent legal incapacity to which a man is subjected in consequence of a conviction and judgment for an offence, and which is not removed by suffering the punishment for the offence." Certain offences were formerly considered of such heinous a nature as to render a man infamous for life, and incompetent to be a witness. The endurance, in the punishment, however, restored the man to his competency as a witness. Act 6 and 7 Victoria, c. 85, however, declares that no person offending as a witness be excluded on account of incapacity from evidence, though such may be urged as a legal argument against his credibility.

Discharge with Infamy.—In those offences which are not only opposed to discipline but also disgraceful in a social sense, when the sentence is not inflicted, ordinarily by charge with infamy, which signifies the infliction of life as a disgrace to his country.

INFANT, *in-fant* (Lat., *infans*), in Law, a person under twenty-one years of age. In general, an infant cannot perform any legal act, make a deed, or any manner of contract will bind him; but to these rules there are some exceptions, as in the case of the sup-

necessaries for which an infant may be sued like other persons. If an infant, on coming of age, ratify a contract made previously, he is bound by it. He or she cannot make a will, and the consent of a parent or guardian is required for marriage; but if a false representation of age has been made, the marriages of infants are not annulled, but they may be prosecuted for perjury. In 1874, the Infants' Relief Act was passed to amend the laws relating to contracts made by persons under age. An infant, when sued, appears to defend his cause by a guardian; but he may sue, either by his guardian or next friend, who is not his guardian. The law of Scotland differs materially in these respects from that of England. All persons, male or female, between the ages of 14 and 21, are known as *minors*. They can enter into contracts, and are bound by them (unless within four years of attaining their majority they can prove they were to their "lesion" or prejudice), and may marry as freely as if they were of full age. In criminal cases, an infant of the age of fourteen years may be capitally punished for any capital offence; but under seven years he cannot. The period between seven and fourteen is subject to much uncertainty; for the infant is, generally speaking, judged to be *primæ facie* innocent; yet, if he could discern between good and evil at the time of the offence committed, he may be convicted, and undergo judgment and execution of death, though he has not attained to years of discretion.

INFANTICIDE, or CHILD-MURDER, *in-fant'-i- side*, has been practised from very early times. Among certain of the Greek states, it was the practice to expose or destroy weak or deformed children. In Rome also it was common to expose or put to death children. The practice was very common in India until checked by the Marquis of Wellesley. In the present day, the Chinese are chiefly notorious for the extent to which they practise this crime; but in the islands of the Pacific, in some parts of India, in Africa, and South America, it is by no means uncommon. Unfortunately, the practice prevails to a considerable extent even in our own country, notwithstanding the deep abhorrence with which it is viewed, and the severity with which it is punished. One of the most difficult questions of medical jurisprudence is to ascertain the murder of a child newly born. It has first to be determined whether the child was born dead or alive, and next, whether its death was occasioned by violence, or was the result of natural causes. If it be proved that the child was born alive, and subsequently destroyed, either by violence or wilful neglect, the offence is murder, and punishable accordingly. A frightful system described as "baby-farming"—children being taken for a small sum and "no questions" asked, the result being slow starvation—prevailed in this country a few years since, but was checked by the discovery and execution of some of the women engaged in the infamous occupation. They advertised in some of the most widely-circulated newspapers, offering to "adopt" infants for the sum of two or three pounds. The number of dead bodies of newly-born infants continually found shows that infanticide is prevalent, although the perpetrators cannot be detected.

INFANTRY, *in-fan-tree* (Lat., *infans*, a child; Ital., *fante*, a child, or young person).—A name applied to all soldiers who serve on foot, in contradistinction to horse-soldiers, or cavalry, who serve on horseback. In the feudal times,

the retainers of the nobles and large land-owners were bound to render suit and service to their feudal lord in time of war, as the nobles themselves were under an obligation to aid the king under the same circumstances, in virtue of the peculiar tenure on which they held their lands. In return for this, their dependents were entitled to protection from wrong and injury at the hands of others; and as the relationship between the feudal superior on the one side, and his vassals on the other, was somewhat analogous to that which exists between a father and his children, the men that were supplied as a contingent to the king's army, by any nobleman or chartered town, were always called "fanti," or children. For this reason, the word "infantry," under various modifications, according to the language of different countries, is now the recognized appellation of the foot-soldiers of every nation. It was not until the latter part of the 17th century that regiments of infantry were embodied in England, to form part of a standing army in the service of the Crown. (See HOUSEHOLD TROOPS.) There were until recently in the regular British Army 109 regiments of infantry, besides the Foot Guards; but they are now incorporated in "Territorial Regiments." The militia and volunteers are all infantry.

INFEOFFMENT, *in-fel'-of-ment*.—In the Law of Scotland, a term denoting the manner in which a person is invested in any real or heritable property. Until very recently, the form was for several persons to proceed to the ground, when earth and stone thereof were handed to him who represented the new possessor. This ceremony is now done away with, and only the registration of the deeds required.

INFIDEL, *in'-fi-del* (Lat., *infidelis*, unbelieving), is one who does not believe the truth of the Christian religion. (See CHRISTIANITY, ATHEISM, DEISM.)

INFINITE, *in'-fin-ut* (Lat., *in*, and *finitum*, unlimited, boundless).—This term, in Philosophy, denotes the entire absence of all limits or bounds; and is applicable to the one infinite Being in all His attributes. As to our idea of the infinite, two opposite opinions exist among philosophers. According to some, the idea is purely negative, without anything positive in it, except what may be furnished by the imagination, which goes on enlarging the finite without limit. According to others, the enlarging of the finite can never furnish the idea of the infinite, but only of the indefinite.

INFIRMARY, *in-fir'-ma-ry* (Lat., *infirmus*, infirm).—An hospital for the reception and medical treatment of the sick poor. Fortunately, in almost all of the considerable towns of this country, there are now establishments of this description, supported either by public subscriptions or by private endowments. (See HOSPITAL.)

IN FORMA PAUPERIS, *in-for'-ma pau'-per-is* (Latin, in the condition of a pauper).—A Law term applicable to persons who, on account of poverty, are allowed to sue as paupers—that is, obtain leave to dispense with paying the fees of court and other costs.

INFORMATION, *in-for-ma'-shun* (Lat., *informatio*).—In Law, an accusation, or complaint, against a defendant for some criminal offence. Informations are of various sorts: first,

such as are partly at the suit of the Crown and partly at that of a subject; and, second, such as are in the name of the Crown only. The latter are of two kinds—those that are truly and properly her Majesty's own suits, and filed by her own immediate officer, the attorney-general, and those in which, though the queen is nominal prosecutor, yet it is at the relation of some private person, or common informer, and they are filed by the queen's coroner and the attorney in the court of Queen's Bench. The former are for such enormous misdemeanours as peculiarly tend to disturb or endanger her government, or to molest or affront her in the discharge of her royal functions; the latter, any gross and notorious misdemeanours, riots, &c., not particularly tending to disturb the government, but yet deserving public animadversion. The term is also applied to a suit on behalf of the Crown as to any misapplication of a public charity, or on behalf of the property of an idiot or a lunatic; and to a written statement made before a justice of the peace previous to obtaining a summons.

INFORMER.—A person who sues for penalty under some statute which awards the penalty or some part of it to the person who gives information—a method adopted to facilitate the conviction of offenders. A class of persons popularly known as “common informers” at one time made a living by summoning tradesmen for petty offences against the excise laws. If caught, such persons generally received rough treatment at the hands of a mob. The alteration of the laws and the appointment of official inspectors have got rid of these worthies.

INHERITANCE, in-her'-e-tans (from Lat., *heres*, an heir.)—A term applied in Law to a perpetual or continuing right to an estate invested in a person and his heirs. The *canons of inheritance* by which it was governed directed the descent of real property throughout the lineal and collateral consanguinity of the owner, dying intestate, who is technically called the purchaser. These canons were materially altered by 3 & 4 Will. IV. c. 106. (See DESCENT.)

Order of Inheritance.—The new and revised canons are as follows:—(1) That inheritances shall lineally descend to the issue of the person who last died entitled, *in infinitum*, (2) that the male issue shall be admitted before the female; (3) that where there are two or more males in equal degree, the oldest only shall inherit, but the females altogether; (4) that the lineal descendants, *in infinitum*, of any person deceased, shall represent their ancestor—that is, shall stand in the same place as the person himself would have done had he been living; (5) that on failure of lineal descendants, or issue of the person last entitled, the inheritance shall ascend and descend to the lineal ancestors, and to the collateral relatives of the purchaser; (6) that the nearest lineal ancestor shall be the heir of the purchaser, in preference to any of the descendants of such lineal ancestor, and to more remote lineal ancestor shall succeed next after, or its default of him; so that the father shall be preferred to a brother or sister, and a more remote lineal ancestor to any of his issue, other than a nearer lineal ancestor or his issue; and subject to this rule and to the next, the descent to the collateral shall be subject to the second, third, and fourth canons; (7) that, as between collaterals of a purchaser, a relation of the half-blood shall succeed next after any relation in the same degree of the whole blood and his issue, where the common ancestor shall be a male, and next after the common ancestor, where such common ancestor shall be a female. So that the brother of the half-blood, on the part of the father, shall inherit next after the sisters of the whole blood on the part of the father and their issue; and the brother of the half-

blood on the part of the mother shall inherit next after the mother. The collaterals of the half-blood of a person last entitled, who was not a purchaser, will take in a course of descent from the purchaser of whose whole blood they are, by force of the direction, that in every case the descent shall be traced from the purchaser. (8) That in lineal ascending, and in collateral inheritances, the male stock shall be preferred to the female (that is, the male ancestors and kindred derived from the blood, however remote, shall be admitted before female ancestors and kindred derived from their blood, however near), unless where the lands have in fact descended from a female. Therefore, under the new law, none of the maternal ancestors of the person from whom the descent is to be traced (*viz.*, the purchaser), nor any of their descendants, are capable of inheriting, until all his paternal ancestors and their descendants shall have failed; and also no female paternal ancestor of such person, nor any of her descendants, is, or are, capable of inheriting, until all his male paternal ancestors and their descendants shall have failed; and no female maternal ancestor of such person, nor any of her descendants, is, or are, capable of inheriting until all his male maternal ancestors and their descendants have failed. (9) When there shall be a total failure of heirs of the purchaser, or where any lands shall be descendible, as if an ancestor had been the purchaser thereof, and there shall be a total failure of the heirs of such ancestor, then, and in every such case, the land shall descend, and the descent shall thenceforth be traced from the person last entitled to the land, as if he had been the purchaser thereof. (22 & 23 Vict. c. 35, s. 10. This enactment is to be read as part of the 3 & 4 Will. IV. c. 106, s. 20.)

INHIBITION, in-hib'-ish-un.—In Scotch Law, a writ issued to prohibit a person from alienating his heritable estate until the debt of the creditor be paid.

INJUNCTION, in-junk'-shun (Lat., *in-junctio*).—A writ which issues under the seal of a court of equity, in order to restrain proceedings in other courts, &c. Injunctions are usually divided into common and special, the former being granted to restrain proceedings in a court of law, but do not extend to stay proceedings in the admiralty or spiritual courts; the latter being granted to stay proceedings in the spiritual courts, the courts of admiralty, or in some other courts of equity, to restrain the negotiation of notes and bills of exchange, the sale of land, the sailing of a ship, transfer of stock, &c. The variety of cases is almost endless in which a court of equity grants relief to a plaintiff, in restraining the commission or the continuance of some act of the defendant.

INJURY, in'-ju-re (Lat., *injuria*).—Something done by a person contrary to law, to the hurt of another person or his property. According to Blackstone, injuries or private wrongs are an infringement or privation of the private or civil rights belonging to individuals considered as individuals.

INN, in (Sax. *inn*).—A place of entertainment for travellers. If any innkeeper, or other victualler, hangs out a sign and opens his house for travellers, it is an implied engagement to entertain all persons who travel that way, and upon this universal assumption an action will lie against him for damages, if he, without good reason, refuses to admit a traveller. Innkeepers are also responsible for the safe custody of the goods of their guests while they are under their roof; but if the goods are lost through any negligence of the owner himself, or stolen by his servant or companion, then the responsibility of the innkeeper ceases.

INNATE IDEAS, in'-nait (Lat., *innatus*,

inborn).—Such ideas as belong to the mind from its birth. Notwithstanding some metaphysical arguments to the effect that the mind of the new-born baby is like a blank sheet on which anything may be written, and that all ideas are the result of experience and association, it is now generally agreed among philosophers, that the mind is originally constituted with its own fundamental laws of thought, which will inevitably cause it to develop only to certain effects, and that at the same time a certain external influence, a contact with the outward world, is absolutely necessary, without which it would not develop at all.

INNOCENT'S DAY, *in'-no-sents*, a festival celebrated in the calendar on the 28th December (in the Eastern Church on the 29th), in commemoration of the murder of the infants by Herod, when he wished to destroy the infant Saviour.

INNUENDO, *in-nu'-en-do* (Greek *neuo*, to nod with the head).—In Law, a pleading, in cases of libel or slander, pointing out who or what was meant by the libellous matter or description.

INQUEST, *in'-kwest* (Lat., *inquisitio*), in Law, is an inquiry into any cause, civil or criminal, by jurors impanelled for that purpose. An inquest of office is an inquiry made by the king's officer, his sheriff, coroner, or escheator, or by writ to them sent for that purpose, or by commissioners specially appointed, concerning any matter that entitles the king to the possession of lands or tenements, goods or chattels; as forfeiture for offences, wreck, treasure trove, &c. A coroner's inquest, held by a coroner and a jury, is for the purpose of inquiring when any person is slain, or dies suddenly, or in prison, concerning the manner of his death, and is one of the greatest safeguards of life in this country. It is indispensable that the coroner and the jury should have a view of the body; for if the body be not found the coroner cannot sit. If any be found guilty by this inquest, of murder or other homicide, the coroner is to commit them to prison for further trial, and is also to inquire concerning their lands, goods, and chattels, which are forfeited thereby. If a body liable to inquest has been buried before the facts came to the knowledge of the coroner, he has power to cause it to be disinterred, for the purpose of holding the inquest. The coroner is required to put in writing the evidence given to the jury before him, or as much thereof as shall be material; and to deliver the same to the proper officer of the court in which the trial is to be, before or at the opening of the court, in all cases in which any person shall be indicted for manslaughter or murder; and he has also authority to bind, by recognizance, all such persons as know or declare anything material touching the said manslaughter or murder, to appear at the trial, and there to prosecute, or give evidence against the party charged. (See CORONER.)

INQUIRY, COURT OF. (See COURT-MARTIAL.)

INQUIRY, WRIT OF, a term applied in Law to a judicial process addressed to the sheriff of the county in which the *venue* is laid, to summon a jury, in order to inquire what damages a plaintiff has sustained in an action upon the case where judgment goes by default.

INQUISITION, THE, *in-kwi-si'-shun*. A tribunal, known also as the Holy Office, of the Roman Catholic Church for the discovery and punishment of heretical beliefs and practices. In the later days of the Roman empire, when Christianity was the religion of the State, laws existed for the punishment of those who rejected the national creed; and the emperors Theodosius and Justinian appointed officials who were styled inquisitors. The persecutions by the Papal Church of the Waldenses, Albigenses, and other so-called heretical sects are notorious in history (see various headings); and the fourth Lateran Council (1215) and another council held at Toulouse, urged the duty of increased vigilance on the part of the orthodox. In 1215, St. Dominic was appointed first Inquisitor-General by the Lateran Council; and in 1233, the so-called Holy Office was definitely constituted by Pope Gregory IX., the direction being intrusted to the newly established Dominican Order. (See DOMINICANS.) The honour of being the first Inquisitor-General who burnt heretics must be awarded to Pedro de Verona (known to the Church as Peter Martyr), who was assassinated in 1252 by a person whom he had accused, and for his services in repressing heresy was canonized. The Inquisition was established in Aragon in 1233, in Venice in 1249, in France in 1255, and in Castile and Leon in 1290. In 1483, in the reign of Ferdinand and Isabella, the institution was firmly established in Spain by two bulls issued by Sixtus IV., and the infamous Torquemada was appointed Inquisitor-General. In 1540 it spread into Portugal, and in 1571 was introduced into Peru and Mexico, by Philip II. of Spain, whose reign is known as "the Spanish reign of terror," owing to the remorseless cruelty of the officials of the Inquisition. In Italy the institution found little favour, being subjected to considerable limitations by the imperial power, and was effectually resisted in Naples. In France, the edict of Nantes, 1598, abolished the Inquisition in that country; and when the edict was revoked in 1685 by Louis XIV., he refused to permit the Inquisition to be re-established. In 1787, the tribunal was abolished in Tuscany and Lombardy. Napoleon suppressed it in Spain in 1808, and in 1812 the Cortes formally confirmed the abolition. Ferdinand VII. revived it in 1814, but it was finally abolished by the Cortes in 1820. In the Papal States, the Inquisition punished only by imprisonment and the imposition of official disabilities; and there is no record of any capital punishment having been inflicted. In modern times, the duties of the Roman Inquisition were limited to the examination of books and trial of offences against Church laws. The most terrible crimes committed by the Inquisition were in Spain. No complete authentic record of the punishments inflicted exists; but Llorente, a historian who had good means of information, estimates that in 236 years 32,000 persons were burnt, and 291,000 were condemned to the penalties. In the 17th century, the rigour of the Spanish Inquisition abated; in the reign of Charles III. it was forbidden to punish capitally without the Royal warrant, and in 1770 it was enacted that arrests could not be made without the Royal authority. Previously, a party suspected or denounced was arrested and detained in prison for an indefinite period, and when at length put upon his trial, was not confronted with his accusers, whose names even were unknown to him. The accused was frequently put to the torture, to extort a

confession of guilt, and was liable to be burnt, to be decapitated, imprisoned in the galleys, or condemned to lose his property, and be branded with civil infamy.

IN RE, *in re* (Lat., meaning literally, *in the affair*), an abbreviative expression used in Law for *in the matter of, in the case of, &c.*

INSOLVENCY, *in-sol'-ven-se* (Lat., *in, not; solvo, I pay*).—In Law, the state of a person who has not sufficient property for the full payment of his debts. Several statutes at various periods were enacted for the relief of insolvent debtors, until the union of the Bankrupt and Insolvent courts in 1861. (See **BANKRUPTCY**.)

INSPECTOR, *in-spek'-tor*.—In the Army an officer intrusted with various duties of supervision. There are inspectors-general of each branch of the service, whose duty it is to make periodical inspection for the purpose of ascertaining whether duties are properly performed and any deficiencies exist; inspectors of inferior military rank, as inspectors of musketry. In the police force, an inspector is an officer next in grade to the superintendent of a division, his principal duties being to see that the sergeants and constables under his control perform their duties properly, and to receive charges at the station-house. There are also inspectors of schools and of factories, gentlemen of exceptional qualifications, who have to pass examinations before receiving an appointment; and other inspectors connected with departments of the civil service.

INSPIRATION, *in-spi-ra'-shun* (Latin, *spiro, to breathe*).—A theological term implying the breathing into the soul of man by the Divine Spirit, a figurative expression originating in the statement in the Book of Genesis, that "the Lord God formed man out of the dust of the ground, and breathed into his nostrils the breath of life, and man became a living soul." Inspiration is generally understood to mean the gift of a power of communicating knowledge supernaturally imparted, and beyond the reach of unaided human intelligence. It also means the gift of spiritual perception and appreciation; and in that sense the prayer in the Communion service of the Church of England asks, "Cleanse the thoughts of our hearts by the inspiration of Thy holy Spirit, that we may perfectly love Thee, and worthily magnify Thy Holy name."

Inspiration of the Holy Scriptures.—This phrase includes too ideas: that of the original inspiration of the patriarchs, prophets, evangelists, and others; and, secondly of those who preserved the utterances and arranged them in the order in which they now appear. There has been and is much controversy as to the extent of this inspiration, the advocates of *plenary*, or complete, inspiration maintain that not only ideas, but the very words in which they are expressed were the result of direct inspiration; consequently that the Scriptures are thorough at the sole work of the Holy Spirit, without error, and that their authenticity has been divinely preserved in all translations—"every verse of the Bible, every word of it, every syllable of it, every letter of it, is the direct utterance of the Most High." From this point of view, the *variorum* readings, the presence of obvious errors and contradictions, and the acknowledged necessity for revision of the text presents apparently insuperable difficulties. (See **BIBLE**, **LITERARY HISTORY**, &c.) Other divines and theological writers limit inspiration to ideas and religious doctrines, maintaining that the language is that of the human writers, not of the Holy Spirit; and that in matters of science and ordinary history, the authors only exhibited the knowledge they had acquired by

ordinary means. The advocates of plenary inspiration say that the apparent inconsistencies between what are generally accepted as facts established by science, and the statements of Scripture are due to man's imperfect knowledge, that the so-called facts are *not* facts, and that, as more is known, so will the inspiration of the Scriptures be vindicated. We must be careful to distinguish between ideas and the words on which they are expressed. The idea may be divinely communicated, the message intrusted for delivering of Divine authority, and yet the words be the speaker's own. The advocates of plenary inspiration, however, write various passages which appear to favour their views; among them, the command given to Moses in Midian, "Go, and I will be with thy mouth, and teach thee what to say," in reply to his plea, "I am slow of speech and of a slow tongue;" and again the assurance of the Saviour to His disciples, "When they deliver you up take no thought how or what ye shall speak, for it shall be given you at that same hour what ye shall speak." Some believers in plenary inspiration go so far as to suppose that, when the Saviour employed parables and apologies to enforce doctrine or illustrate principles, the narratives were literally true, the personages having had a real existence, because, they argue, the incarnate Saviour could not have given utterance to a fiction; and that Dives and Lazarus, the unjust steward, the lord of the vineyard, and the foolish virgins, were actual persons, instead of ideal figures or apologies, a very general form of teaching in oriental countries.

"INSPIRED, THE."—A small American sect, known also as "The Community of True Inspiration," who retain some of the doctrines of the old German mystics, Boehme and others; reject sacraments and practise a material communism. They profess to receive divine inspiration when in a somnambulistic state. Their headquarters are in Iowa.

INSTALLATION, *in-stal-lai'-shun* (Lat., *in, and stallum, a seat*).—A term applied to the ceremony of installing persons in honours and dignities. Thus, we speak of the installation of a knight of the Garter in the chapel of St. George at Windsor; the installation of a chancellor in a university; or of a dean, prebendary, or other ecclesiastical dignitary (except a bishop, who is "enthroned"), in the stall of the cathedral to which he belongs.

IN STATU QUO, *in stat'-u quo*, literally, "the place in which,"—a phrase synonymous with "in the same place."

INSTINCT, *in'-stinkt* (Lat., *instinctus, inwardly moved, suggestion, impulse*).—The distinction between instinct and reason has greatly perplexed philosophers. Avoiding subtleties of definition, it may perhaps be safely said that all animals (and, with some limitations vegetables, may be included) are endowed with certain tendencies the exercise of which is necessary to support existence. Instinct in reference to the animal creation has been tersely, if rather quaintly, defined, as "God thinking for those who as yet are unable to think for themselves." As the mental powers strengthen, the lessons of experience are added to the impulses of instinct, and the reasoning powers direct and supplement the original unreasoning tendencies. An instinctive action is performed without any consciousness on the part of the agent of the end which it serves; it is effected as perfectly the first time as at any subsequent period; and is unsusceptible of any adaptation to particular emergencies; while a reasonable action, on the contrary, is one which always implies a consciousness, on the part of the agent, of the end in view—which becomes only progressively perfect, and which is capable

of being variously modified according to existing circumstances. Three classes of theories have been proposed, to account for the instinctive actions: -1. The physical, which makes them depend upon the structure and organization of the animal. 2. The psychological, which regards them as the result of mental powers or faculties possessed by the animals, analogous to those of the understanding in man. 3. The supernatural, which views them as the workings of an intelligence superior to man, or the Supreme Being. Of this last opinion was Sir Isaac Newton. The distinction made between man and the lower animals by some writers is, that the latter never attain reasoning powers, but that all their acts are instinctive—a very untenable proposition in the presence of the admitted sagacity of animals, and the evidence of their habitual perception of the connection between effect and cause.

INSTITUTE, *in-sti-tute*.—A term of Scotch Law denoting the person who is first entitled to take an entailed estate.

INSTITUTES.—The elementary treatise on the Roman or civil law.

INSTITUTION, *in-sti-tu-shun*.—In Ecclesiastical Law, the authoritative appointment to a benefice by the person with whom such right of appointment ultimately rests.

INSTRUMENTAL MUSIC, *in-stru-men-tal* (from Lat., *instrumentum*, an instrument).—All music composed for instruments is so called, in contradistinction to *vocal music*. This term is more especially applied to compositions in which there is no part for the voice. Great technical knowledge of the properties of the various musical instruments employed is necessary in arranging a piece of music for an orchestra, or "instrumentation" as it is technically called.

INTELLECT, *in-tel-lekt* (Lat., *intellectus*, from *intelligo*, I perceive a difference, I understand).—One of the principal divisions of the human mind, as distinct from the will and the sensational powers. The intellect includes all those powers by which we acquire, retain, and extend our knowledge; as, perception, memory, imagination, judgment, &c. It is usual to distinguish the intellectual from the moral powers. Aristotle employs the word *nous* for intellect, and uses it in two principal significations—the one (like reason in its first meaning) denoting, in general, our higher faculties of thought and knowledge; the other, in special, the faculty, habit, place of principles, that is, of self-evident and self-evidencing notions and judgments. Intellectualism, or intellectual philosophy, is applied to a particular system which regards the intellect as the only true source of our knowledge, in opposition to sensualism, which regards the senses in that light.

INTENDANT, *ain[ə]-tan[y]-dan[y]* (Fr.).—The title in France, before the Revolution, of the governor or chief officer of a province. Napoleon restored the office, but gave the name of prefect, the old title being extremely unpopular. In the French army an intendant, or *intendant militaire*, is an officer superintending the organization of all the civil services attending an army in the field. He combines, to some extent, the functions of the quartermaster general, the commissary-general, and the hospital director of the English army, with other duties.

INTENTION, FIRST AND SECOND, *in-ten-shun* (Lat., *intentio*, having the mind bent on an object).—The terms introduced by the schoolmen to distinguish certain classes of thought. A first intention is a conception of a thing, or things, formed by the mind from external materials, or materials existing without itself. A second intention, on the other hand, is a conception of another conception, or conceptions formed by the mind from materials existing in itself. Thus, man, animal, stone are first intentions, being conceptions formed from external materials; while genus, species, &c., are second intentions, being formed from first intentions.

INTERCESSION, DOCTRINE OF.—The doctrine of the continued intercession of Christ on behalf of those He has redeemed, present considerable difficulties to the theologian. The texts mainly relied on are: "Who is even at the right hand of God, who also maketh intercession for us," Rom. viii. 34; "Seeing He ever liveth to make intercession for them," Heb. vii. 25; and, "If any man sin, we have an advocate with the Father, Jesus Christ the righteous," 1. John ii. 1. The difficulty is to reconcile the finished work of salvation by Christ on the Cross with a subsequent advocacy in heaven. Some commentators rather lamely explain that in the presence of God the Father Christ "constantly presents the merits of His death as a reason why those who come to Him should be saved," or that "He presents our interests before the mercy-seat in heaven." Probably the passages refer to those who have accepted salvation by the atonement, but while on earth are subject to temptations to fall away from the faith, and who need the continual strengthening and teaching of the Holy Spirit, and on whose behalf Christ in heaven makes intercession, as on earth He suffered for them. Protestants and Catholics alike hold the doctrine of intercession, but the latter believe also in the intercession of the Virgin and the saints, who, however, in their opinion, do not intercede for men with God, but with the Saviour.

INTERDICT, *in-ter-dikt* (Lat., *interdictum*, prohibition).—In the Roman Catholic church, this is a mode of censure adopted against a kingdom, province, or town, in consequence of some offence alleged to have been committed by the people or rulers. In terms of this interdict, all kinds of church benefits are denied to such place; there is no church service and no administration of the sacraments. Sometimes, however, the rigour of these interdicts has been mitigated in particular cases; permitting the baptizing of infants, the giving absolution to dying persons, &c. In the Middle Ages, this was the most terrible blow that could be inflicted upon a prince or people, and has sometimes the effect of throwing a people into a state of rebellion, in consequence of which the prince was compelled to sue for pardon from the pontiff. Interdicts appear to have been first made use of by the bishops in the 6th century; but they were afterwards adopted by the popes. In 998, when Robert of France was married to Bertha, his cousin, Gregory V. interdicted the whole country, and obliged the king to dissolve the union. Scotland, Poland, France, and England were placed under interdict at various times in the 12th and 13th centuries. In later times the "general" interdict has fallen into disuse; but personal and

local interdicts have sometimes been resorted to. The interdict of fire and water (*interdictio ignis et aquæ*) was a censure pronounced against individuals, and prohibited any one from receiving them or granting them fire or water.

In Scotch Law, an interdict is an Order issued by the Court of Session, or the Sheriff Court, forbidding some act from being done.

INTERDICTION, *in-ter-dik'-shun*.—A process of Scotch law by which imbecile persons may restrain themselves, or be restrained from the performance of certain legal acts. The former process is known as "voluntary," the latter as "judicial" interdiction.

INTERIUM, *in-ter-im* (Lat., in the meantime). The name given to formularies of faith and discipline drawn up by order of the emperor Charles V., with a view to reconcile the differences existing between Protestants and Roman Catholics. They received the name because they were only temporary measures, adopted till a general council should decide upon the disputed points. They were mostly in favour of the Catholics, almost the only points conceded to the Lutherans being the marriage of the clergy and the use of the cup in the sacrament of the Lord's Supper. The projects pleased neither party. Three interims were drawn up—that of Ratisbon, 1541; of Augsburg, 1548; and of Leipsic in the same year.

INTERLINEATIONS, *in-ter-lin'-e-a-shuns* (Lat., between the lines).—Additions or connections to a legal deed, written either on the margin or between the lines. The initials of the person signing the deed are ordinarily appended to these alterations, to show that they are genuine.

INTERLOCUTORY, *in-ter-lok'-u-tor-c* (Lat., *inter*, between; and *loquor*, I speak).—A term in Law applied to those judgments which are given in the middle of a cause, upon some plea, proceeding, or default, which is only interlocutory, and does not finally determine or complete the suit. The term is most commonly applied to those incomplete judgments whereby the right of the plaintiff is indeed established, but the *quantum* of damages sustained by him is not ascertained, which can only be done by the intervention of a jury.

INTERMEDIATE STATE.—Theologians and Biblical critics have been much perplexed by the question, what becomes of the souls of the dead in the period between bodily death and the resurrection. Scripture does not give a clear reply. All Roman Catholics and many Protestants believe in an intermediate state, in which they are classed according to their characters and deeds done in this life. The Catholics believe in a purifying Purgatory; and some Protestants suppose that the children of God enter into heaven, while the impenitent are cast out, the state of reward and punishing commencing immediately; and that the Judgment-day will be the occasion of announcing, not awarding, punishments.

INTERMENT. (See BURLIAL.)

INTERNATIONAL LAW. (See LAW.)

INTERNUNCIO, *in-ter-nun'-she-o* (Lat., *internuntius*).—Generally a messenger between two courts or governments, and more particularly applied to a representative of the pope, sent to small states and republics, as distinguished from

the *nuncio*, who represents the pope at the courts of kings and emperors.

INTERPLEADER, *in-ter-ple'-der*.—A proceeding in a suit where a person owes a debt or rent to one of the parties, but, till the determination of it, he does not know to which. He accordingly desires that they may interplead, so that he may be safe in the payment; in which case it is usual to order the money to be paid into court, for the benefit of such of the parties as the court, upon hearing, shall decree it to be due.

INTERREGNUM, *in-ter-reg'-num* (Latin, *inter*, between; *regnum*, kingly government).—The period during which a throne is vacant, the interval between the death of one king and accession of another.

INTERVENTION, *in-ter-ven'-shun* (Latin, *inter*, and *venire*, to come between).—A word used to express the armed interposition of one state in the domestic affairs of another. Since the congress of Vienna, this right of intervention has become distinctly recognized, and has been acted upon more frequently than formerly. The right of every nation to increase its national dominions, wealth, and power, by all innocent and lawful means, is an incontrovertible right of sovereignty generally recognized by the usage and opinion of nations; but when the exercise of this right directly interferes with the sovereign rights of other states, then the right of intervention, or interference of other states, is requisite to preserve the balance of power.

INTESTACY, *in-tes'-la-* (Lat., *in*, not; and *testor*, I testify).—In Law, denoting the dying without having made a will.

INTOXICATION, *in-toe'-i-ku'-shun*.—In Law, drunkenness is no excuse for any wrong done by the drunken person. By the Intoxicating Liquors Licensing Act of 1872, every person found drunk in a highway or public place, or in a licensed house is liable to a penalty of 10s. and on a second offence, within twelve months, to 20s. and on a third offence, within twelve months, to 40s. To be drunk while in charge of a horse or carriage or of a gun is punishable with a fine of 20s., or imprisonment for a month.

INTRANSIGENTES, *in-tran-si-jen'-tees*.—A party of extreme Republicans in Spain, otherwise known as Irreconcilables, who in 1873 withdrew from the Cortes, and were the cause of great troubles. United with Communists, they held Carthage against the authorities for about five months.

INTUITION, *in-tu-ish'-un* (Lat., *intueor*, I behold).—A term applied to that power of the human mind by which a thing is known or comprehended immediately, as soon as it is perceived or attended to. When the mind perceives the agreement or disagreement of two ideas, immediately by themselves, without the invention of any other, this is intuitive; for in this the mind is at no pains of proving or examining, but perceives the truth, as the eye does the light, only by being directed towards it. Thus, the mind perceives that white is not black, that a circle is not a triangle. Things that are known by intuition cannot be made more certain by arguments than they are at first. Axioms are propositions known by intuition.

INUNDATION, *in-un-da'-tion*.—The over-

flow of a river swollen by heavy rains. Many terrible disasters have resulted from this cause.

INVENTION OF THE CROSS. (See CROSS.)

INVENTORY, *in'-ven-to-re*.—A schedule of goods or property, setting forth particulars respecting them. An executor or administrator makes out a bill of the effects of a deceased person, for the information of parties having an interest in the distribution. In Scotch law, the term applies to the various pledges or deeds and documents produced in a suit or action, and to an enumeration of the titles of an estate shown to a purchaser.

INVESTITURE, *in-ves'-ti-ture* (Fr.).—The actual conveyance of feudal lands by a lord to his vassal. Investitures were introduced at a time when the art of writing was but little known, and recourse was had to the open and notorious delivery of possession in the presence of the other vassals, who, in case of a disputed title afterwards, might bear witness to the fact. The claims under the feudal laws of secular potentates to grant investitures to ecclesiastics, on the plea that by assuming temporalities, they became feudatories, led to many acrimonious disputes between the Church and the laity. In 1075, Gregory VII. condemned, under penalty of excommunication, the practice of lay investiture. A kind of compromise was effected between the Emperor of Germany and the Pope by the Concordat of Worms, in 1122, the former resuming his claim to investitures with the ring and pastoral staff, the symbols of ecclesiastical authority, but retaining the touch of the sceptre.

INVOCATION OF SAINTS, in the Roman Catholic church, is the calling upon or praying to the saints that they intercede with God for men. The invocation of saints is believed to have been introduced as early as the 4th century, and it soon became general in the Church. In the creed of Pius IV. it is said "that the saints reigning together with Christ are to be honoured and invoked, that they offer prayers to God for us;" and in the catechism of the Council of Trent they are said to be invoked "because they always see the face of God, and are constituted by Him the willing advocates of our salvation." (See INTERCESSION.)

IONIAN PHILOSOPHY, was the earliest of the philosophic systems of ancient Greece, and was so called because its advocates were principally natives of Ionia. The principal members of this school are Thales, its founder, who is also styled the father of Greek philosophy, Anaximander, Anaximenes, Diogenes of Apollonia, Heraclitus, and Anaxagoras. The school chiefly concerned itself with speculations regarding the origin of nature and the primary materials of the world. Anaxagoras dwelt more upon the moving principle by which the elements are brought into combinations of order and beauty, and may be regarded as the first who clearly and broadly laid down the leading distinctions between mind and matter, the former being the moving principle, perfect and simple, the latter inert matter. The Ionia school became extinct before the more highly-developed system of Socrates.

IRELAND, YOUNG. (See YOUNG IRELAND.)

IRELAND, CHURCH OF.—The estab-

lishment of a Christian church in Ireland is generally attributed to St. Patrick, who in the 5th century founded churches with a regular clergy. In the troublous times which followed, considerable disorganization probably took place, for we find that, in 1111, St. Celsus, archbishop of Armagh, and Macmuse, archbishop of Cashel, 50 bishops, 300 priests, and 3,000 members of religious orders attended a synod convened in Westmeath, for the purpose of re-organizing ecclesiastical matters and enforcing discipline among the clergy and laity. The number of bishops was reduced to 24, and other regulations were agreed to. In 1151, Pope Eugene III. sent Cardinal Papirius to Ireland to confer the palliums on the archbishops (see PALLIUM), and in the same year it was decided at the Council of Kells, that the clergy should be entitled to tithes. The laity objected to pay the tithes, which were not enforced until after the Conquest of Ireland by the English. When Henry VIII. had effected the Reformation in England, he proposed to make the Irish Church as Protestant as the English, and appointed Dr. Browne, who had been an Augustinian friar, but had turned Protestant, archbishop of Dublin. He took with him to Ireland an official document announcing "the royal will and pleasure of his Majesty, that his subjects in Ireland, even as those in England, should obey his commands in spiritual matters as in temporal, and renounce their allegiance to the See of Rome." The Roman Catholic prelates and clergy generally of course opposed this juncture, to commit which they considered was apostasy; and the archbishop of Armagh went so far as to "lay a curse on whosoever should own his Highness's supremacy, saying that the isle—as it is in the Irish chronicles *insula sacra*—belongs to none but the bishop of Rome, and that it was the bishop of Rome who gave it to the king's ancestors." An Irish Parliament was summoned in 1536, and passed Acts declaring the king to be the supreme head of the Church in Ireland, ordering first fruits and twentieth parts to be paid to the king, and abolishing the authority of the Pope. The sale of Church lands followed. The English liturgy was used for the first time on Easter Sunday, 1551, in Christ Church Cathedral, Dublin, and shortly afterwards the primates of all Ireland were annexed to the See of Dublin by Act of Parliament. During the reign of Mary, the Protestant bishops were removed and the Roman Catholic service restored; but on the accession of Elizabeth the Protestant order was restored. The establishment and endowment of a Protestant Church in a country where the great majority of the people were Catholics was one of the great grievances helping to produce the spirit of discontent which at various periods lead to outbreaks and stern oppressions. By the Act for the Union of Great Britain and Ireland, dated July 2, 1800, the Churches of England and Ireland [the Established Protestant Church], acknowledged previously to be distinct, were declared to be thenceforth one Church, with the doctrine, worship, discipline, and government the same as by law established for the Church of England, the two churches being styled "The United Church of England and Ireland." For nearly seventy years the Irish Church establishment was a fertile subject of political and literary controversy. At length, on March 1, 1869, Mr. Gladstone introduced a Bill to put an end to the establishment of the Church of Ireland; and on the 26th of July it received

the royal assent, and came into effect on the 1st of January, 1871. The census for that year showed that, while there were 4,141,933 Roman Catholics, there were only 683,295 members of the Protestant Episcopal Church.

Provisions of the Act of Disestablishment.—The Act provides for the incorporation of the Protestant Church of Ireland by united action of the clergy and congregations of the Church as existing on the 1st of January, 1870. In accordance with that provision a charter of incorporation was duly executed, and the succeeding provisions of the Act govern the connection between the Commissioners and the Church. The Commissioners are empowered, with reference to ecclesiastical buildings that have ceased to be used for church purposes, either to sell the property or to make over such buildings to the Irish Commissioners of Public Works to be preserved as public monuments. Ecclesiastical buildings, in use for church purposes on the 1st of January, 1871, are subject, under the Act, to one of two provisions. 1. Every such building, registered before July 1, 1871, by the corporate church, as required for church purposes, is hence the property of such corporate church; or, 2. Every such building, not being so registered, the Commissioners are required to sell, and to add the proceeds to their common fund, unless it is proved to be private property of individuals or subscribers, who are entitled to their property therein as though it had not been a church or church building. The Commissioners have power to grant land to attach to any church residence retained by the corporate church. The quantity of land is limited to thirty acres for a see house, or ten acres for any other ecclesiastical residence. Personal endowments are respected, but the term is limited to money contributed from private sources since the year 1660. Title rent charges become the property of the Commissioners. They are entitled to require payment thereof as previously, or to commute the same for a capital sum equal to 24 years' purchase, payable down or by instalments and interest on balances of purchase money, such instalments not to extend over more than 52 years. Every bishop, beneficed clergyman, permanent curate, schoolmaster, clerk, or sexton, actually holding and fulfilling the duties of each office respectively on the 1st of January, 1871, so long as he continues to hold his office, is entitled to payment from the Commissioners of the same amount of net income as he was previously entitled to under the establishment in virtue of such office; such net income to be regarded as a life annuity with power to each recipient to commute for a capital sum equal to the value of his annuity. Bishops are in future to be elected by the clergy and laity, and the first so chosen was the bishop of Kilmore, in September, 1874. The Regium Donum and the Maynooth grant (see those headings), were dealt with by the Act. Compensation was made to Presbyterian ministers for the abolition of the former, and the grants to Presbyterian colleges and to Maynooth were commuted by payment of fourteen years' value of the money annually voted. As the financial result of the disestablishment, there remained a surplus of nearly £8,000, and that was devoted to the relief of unavoidable calamities and suffering not provided for by the operation of the Poor Law, and given to asylums for lunatics, the blind, deaf and dumb, associations of nurses, infirmaries, reformatories, and similar institutions.

Organization of the Church.—There are 2 archbishops, 10 bishops, 1215 beneficed clergymen, and about 260 unbeneficed. The supreme legislative authority is vested in the General Synod, consisting of two houses—the House of Bishops, and the House of Representatives, the latter comprising 208 clerical and 416 lay members, chosen by the diocesan synods. The archiepiscopal dioceses are Armagh and Dublin; the episcopal dioceses, Meath, Down, Killybeg, Limerick, Tasm, Derry, Cashel, Kilmore, Cork, and Ossory.

IRISH SOCIETY, THE HONOURABLE.—The name given to a committee of citizens, representing 12 London companies, invested in 1613 by James I. to colonize the confiscated lands in the north of Ireland, termed the Ulster plantations. The companies received a charter.

IRONCLAD SHIPS. (See NAVY.)

IRON CROSS.—A Prussian order of knighthood, instituted in 1813 by Frederick William III., and conferred for distinguished military service; a much larger cross, known as the grand cross, being given exclusively for the gaining a decisive battle or the capture or brave defence of a fortress. The decoration consists of an iron cross with silver mounting.

IRON CROWN.—The crown of the old Longobardian kings. It was first used in the coronation of Agilolph, King of the Lombards, in 591, and afterwards in the coronation of Charlemagne, 774, and at the coronation of 34 sovereigns. The first German emperor known with certainty to have worn it was Henry of Luxemburg, in the early part of the 14th century. Tradition says it was given nearly two centuries earlier by Pope Gregory the Great to Queen Theodolinda. It was preserved in the sacristy of the cathedral of Monza until 1859, when the Austrians removed it to Mantua, and it is now in Vienna. In 1805, Napoleon, having been elected King of Italy, crowned himself with it, saying, *Dieu me l'a donné, gare à qui y touchera*, "God gave it to me, woe to him who touches it." The crown consists of a golden hoop, richly ornamented with enamelled flowers and precious stones, and within it a thin fillet of iron, which ecclesiastical tradition asserts to have been hammered from one of the nails of the true Cross.

Order of the Iron Crown.—Napoleon founded an order of knighthood with this name, to consist of 620 members, a number afterwards raised to 985. After the fall of Napoleon, the order, which had relapsed into obscurity, was revived by the Emperor Francis I. in 1816, with the name of Austrian Order of the Iron Crown. It has three classes, the first of 20 members, the second of 70, and the third of 50, exclusive of princes of the Imperial house. The decoration consists of a gold crown, bearing the Austrian eagle on both sides. Knights of the first class wear on the left breast a silver star, with the iron crown in its centre, and round its blue edge the words *Arta et Aude* (ancient and extended). The costume consists of a blue velvet cap and mantle, a yellow undergarment, and white stockings and shoes.

IRRITANCY, ir'-ri-tan-se (Lat., *irritus*, of no effect).—In Scotch law, something generally of the nature of neglect or injury, which destroys or makes void an existing right.

IRVINGITES. (See CATHOLIC AND APOSTOLIC CHURCH.)

⁴ **ISAIAH, i-zai'-ya** (Hebrew, *Ishayahu*, "salvation of Jehovah").—The name of the first in order of the prophetic books of the Old Testament, and called after its author. Isaiah (referred to in the New Testament as Esaias, the Greek form of the name) prophesied in the reigns of Uzziah, Jotham, Ahaz, and Hezekiah. According to a Jewish tradition, he was sawn asunder, by order of Manasseh; but this is doubtful, although some writers suppose that reference is made to this martyrdom by the writer of the epistle to the Hebrews (xi. 37). The date of the martyrdom, if it really took place, is supposed to have been 696 or 695 B.C. Down to the latter part of the last century, Isaiah was universally regarded, both by Jews and Christians, as the author of this book; but since that time, the German critics have been endeavouring to prove that the last 57 chapters of the book (xi.—lxvi.) were the production of another writer. One of the principal arguments is, that events occurring at least a hundred years

after the death of the historical Isaiah are referred to; but to this it is replied that the chapters are prophetic, and that the fulfilment was literal. At the opening of the book, the author describes his poems as "visions," "that is, special revelations. Of Isaiah himself it is only known that he appears to have lived in Jerusalem, to have been married, and to have had three sons. His wife is referred to as a prophetess (viii. 3). The predictions of Isaiah may be divided into six parts, each containing a number of discourses, delivered by the prophet to the various nations or people whom he was commissioned to address. 1 contains a general description of the estate and condition of the Jews, in the several periods of their history; the promulgation and success of the Gospel, and the coming of Messiah to judgment (i.—v.), delivered during the reign of Uzziah, king of Judah; 2 comprises the predictions delivered in the reigns of Jotham and Ahaz (vi.—xii.); 3 contains various predictions, "burdens" against the Babylonians, Assyrians, Philistines, and other nations, with whom the Jews had any intercourse (xiii.—xxiii.); 4 contains a prophecy of the great calamities that should befall the people of God—His merciful preservation of a remnant of them, and of their restoration to their country, of their conversion to the Gospel, and the destruction of Antichrist (xxiv.—xxv.); 5 comprises the historical part of the prophecy of Isaiah (xxxvi.—xxxix.); 6 comprises a series of prophecies, delivered, in all probability, towards the close of Hezekiah's reign. Isaiah has been denominated the evangelical prophet, on account of the number and variety of his prophecies concerning the Messiah. "This prophet," says Lowth, "abounds in such transcendent excellences, that he may be properly said to afford the most perfect model of prophetic poetry. He is at once elegant and sublime; forcible and ornamental; he unites energy with copiousness, and dignity with variety. In his sentiments there is uncommon elevation and majesty; in his imagery the utmost propriety, elegance, dignity, and diversity; in his language uncommon beauty and energy, and, notwithstanding the obscurity of his subjects, a surprising degree of clearness and simplicity." The genius of uninspired man certainly never reached to so great a height of rhetorical and poetical fervour as does the inspired eloquence of Isaiah, alternately sublime, poetical, majestic, and infinitely tender. One critical writer says, "The poetry, the tone, the calmness, the dignity, the gentleness, and the sternness of all the other prophets meet in Isaiah so as mutually to qualify and temper one another, thus combining to distinguish him as the impersonation of the symmetry and perfection of the whole."

ISIDORIAN DECRETALS. *i-si-dor'-i-an.*

—A spurious composition of the 9th century, professing to define the privileges of the Pope and the whole system of the Romish hierarchy. For several centuries these Decretals were considered to be of undoubted authority. The author is unknown, but the book is supposed to have originated at Mentz, about the middle of the 9th century. It was issued under the name of Isidore

of Seville, as a part of the genuine collection known as his. After the Reformation, critical examination proved its unauthenticity. It is sometimes referred to in ecclesiastical history as the "False Decretals."

ISLAM, *is'-lam.*—The Arabic name for the Mohammedan religion. (See KORAN and MOHAMMEDAN RELIGION.)

ISIS, *i'-sis.*—The most prominent goddess of the complicated mythology of ancient Egypt, the wife and the sister of Osiris, with whom her history is interwoven. (See OSIRIS, for a general sketch of Egyptian mythology.) Isis is classed as the great benefactress of the country, and was the instructress in the art of cultivating grain. At the festivals held in her honour, wheat and barley were carried in the procession. The worship of Isis was introduced at a very early period into Greece, and thence passed into Italy. It was established in Rome by Sulla in 86 B.C.; and in 43 B.C., the Triumvirs founded a temple of Isis and Serapis. (See SERAPIS.) The celebrations became so licentious that they were prohibited, but continued to be held in private, although Tiberius threw the statue of the goddess into the Tiber. In Egyptian inscriptions, Isis is sometimes represented with the head of a cow, or suckling Horus, and sometimes wearing on her head the vulture symbol of maternity.

ISMAILIS, *is-ma-el' is.*—A sect of the Mohammedans of the Shiite branch of Islam. (See MOHAMMEDANISM and SHITES.)

ISRAEL. (See JEWS.)

ISSUE, in Law, has various significations. Sometimes it denotes the children begotten between a man and his wife; sometimes the profits growing from amercements and fines; sometimes the profits of lands and teneaments; but it generally signifies the point of matter in dispute between a plaintiff and defendant in a cause. When, in the course of pleading, the parties in a cause come to a point, which is affirmed on one side and denied on the other, they are then said to be at issue. (See PLEADING.)

ITALIAN CATHOLIC CHURCH.—A sect numbering about 3,000 members, recently formed. The bases of belief are that the Catholic Church means the society of all believers and that Jesus Christ is the sole head; no miracles have been wrought since the death of the apostolic times, and the only true faith is that revealed in the Holy Scriptures.

ITALIC VERSION.—A translation of the Scriptures into Italian, in use between the middle of the 2nd century and the compilation of the Vulgate towards the close of the 4th century.

ITE, MISSA EST, *i'-te mis'-sa est* (Lat., Go, it is dissolved).—In the Roman Catholic Church, a formula by which, on joyful feasts, the end of low mass is announced to the people, and the assembly is dismissed. The priest stands before the centre of the altar, and sings these words after the *Deus vobiscum*.

J.

JACOBINS, the most celebrated of the clubs of the first French revolution. It originated in the *Club Breton*, formed on the opening of the States-general at Versailles, in 1789, by the deputies from Brittany. On the removal of that assembly to Paris, this club established itself in the Rue St. Honoré, in the old convent of Dominican friars, or Jacobins. They admitted any citizen introduced by four members, and assumed the new name of *Société des Amis de la Constitution*, better known as Jacobins from their place of meeting. They soon became very numerous; deputies, and all desirous of political influence, seeking to join them. The club became the controlling power of the Revolution. Extreme opinions gaining the ascendancy, the original and more moderate members withdrew to form the *Société de 1789*, or *des Feuillants*; the effect of which secession was to render the Jacobins more radical and boisterous. Their influence extended through France, and in 1791 they possessed 1,200 branch societies, all which obeyed orders from headquarters in Paris. In May, 1791, the *Journal de la Société des Amis de la Constitution* was established, and used in conveying revolutionary principles to every corner of the kingdom. They were foremost in the insurrectionary movements of June 20 and August 10; originated the revolutionary *Commune de Paris*, and changed their name to *les Amis de la Liberté et de l'Égalité*. From this time they ruled supreme, even in the Convention itself. Robespierre's political supremacy commenced with them, and with him their power fell on the 9th Thermidor. The terror they had inspired was no more; and on the 9th November, 1794, the reactionary party—the *jeunesse dorée*—attacked their headquarters in force, and the Convention decreed the suspension of their meetings and the closing of their hall. The place of meeting was soon afterwards demolished. Vain attempts were made by the remnants of the party to regain influence, by establishing first the *Club du Manège*, and then the *Club de la Rue du Bac*.

Jacobins.—A popular name in France for monks of the Dominican order, originating in the fact that the chief house was in the Rue St. Jacques in Paris.

JACOBITES, *jak'-o-bites*, a party in Great Britain who, after the revolution of 1688, adhered to the cause of the de throne king James II. (Latin, *Jacobus*) and his descendants. They were numerous and powerful in Scotland, and for more than half a century continued to conspire for the restoration of the exiled house of Stuart. They rose in unsuccessful revolt in 1715, and again in 1745. Their final extinction as a party may be dated from the death of the Pretender Charles Edward, in 1788, though they had long before ceased to be formidable to the established government.

In Ecclesiastical History, a Christian sect in the East, particularly in Syria and Mesopotamia. These derive their name from Jacobus Baradaeus (Bar-dai), bishop of Edessa, who, in the 6th century, established a permanent ecclesiastical organization among the Monophysites (See MONOPHYTES.) At the death of Baradaeus the sect was very numerous in Asia, and also in Egypt, where they formed the nucleus of the present Coptic church. The Asiatic Jacobites number about 100,000, governed by two patriarchs, one (the patriarch of Antioch) at Diarbekir, the other (patriarch

of Jerusalem) at Saphran. They practise circumcision before baptism, and in their church services use the obsolete Syriac language.

JACOBUS, *jak'-o-bus*, a gold coin of the value of twenty-five shillings, and so called from King James I. of England, in whose reign it was struck. A new Jacobus, only valued at twenty-three shillings, was sometimes called a *Carolus*.

JACQUERIE, *zhak'-a-rie*.—The name derived from Jacques, a contemptuous epithet for a poor man, given to the insurgent peasantry of France in 1358, who, under the leadership of a man named Caillot, popularly known as Jacques Bonhomme, committed many outrages during the capturing of John the French King. Long-continued oppression on the part of the nobles, and the tyranny of Charles the Bad, King of Navarre, were the causes of the outbreak. After a few months of anarchy, the revolt was suppressed with great slaughter near Meaux.

JACTITATION OF MARRIAGE, *jak-ti-té-tion* (Lat., *jactitatus*, cast about).—A law term signifying the obligation of a person who professes to be married to another, who denies that any marriage has taken place, to produce proof that the ceremony has taken place. If this is not done, then a decree passes enjoining the person who has claimed to be married to perpetual silence on the subject. The process is seldom resorted to in England, legal evidence of marriage not being difficult to obtain, and the performance of the ceremony being fenced with such legal safeguards that doubts as to whether it has been legally performed can scarcely exist.

JAIL. (See PRISONS.)

JAIL DELIVERY.—The periodical sittings of the judges to try prisoners, and so clear the prisons. (See ASSIZES.)

JAIL FEVER.—A disease which in former times, when prisons were dens of filth, often broke out among the inmates, with terrible results. In May, 1750, two judges, the Lord Mayor, an alderman, many jurymen, and a large number of spectators were affected while attending the assizes at the Old Bailey, and many died. It is supposed to have been a severe form of typhus fever.

JAINS, OR JAINAS, *jainz, jai'-nus* (Sansk., *jins*, victorious).—A religious sect among the Hindoos. They are very numerous in the southern and western provinces of Hindoostan, and are principally engaged in commerce. It is believed that Jainism is of much later origin than Buddhism or Brahmanism, and that it did not rise into importance till the 8th or 9th century of our era. It seems to partake of both of these earlier worship, and was probably an attempt to reconcile Buddhism with Brahmanism. The principal points of difference between them and the Brahmanical Hindoos are—1, a denial of the divine origin of the Vedas; 2, the worship of certain holy mortals, who, by living exemplary lives here and by self-mortification, had raised themselves superior to the gods; and, 3, extreme tenderness for animal life; in all of which points they resemble the Buddhists. Their moral code, or "great duties," are—1, refraining from injury

to life; 2, truth; 3, honesty; 4, chastity; 5, freedom from worldly desires. Their four "merits" are—liberality, gentleness, piety, and penance. They observe many of the essential rites and festivals of the Hindoos. There are two sects or divisions of James Digambaras and Sircambaras, who differ in the colour of their costume and in many points of doctrine and practice. They class their divinities into four divisions, of whom the despised saints are the highest, and at present number 24, of whom probably only the last two had any real existence, the mystical traditions of the others being of the most extravagant kind.

JAMES, EPISTLE OF. *jaimz*, is the name of one of the canonical books of the New Testament. The authorship of this book has been disputed. There are three persons of this name mentioned in Scripture: 1, James the Apostle, son of Zebedee, and brother of John; 2, James the Less, son of Alphaeus and Mary, who was also an apostle; and, 3, James, the brother of our Lord. It is generally held by divines that it was James the son of Alphaeus that wrote this book. The epistle is addressed "to the twelve tribes which are scattered abroad," evidently, from the context, meaning those that had embraced Christianity. The design of the apostle in writing this epistle was—1, to prevent the Jewish Christians from falling into the vices which abounded among their countrymen, and to caution them against covetousness and sensuality, distrusting the divine goodness, &c.; 2, to set them right as to the doctrine of justification by faith; 3, to intimate to such as laboured under bodily disorders, that, if they were penitent, they might hope for a miraculous cure; and, 4, to prevent their being impatient under their present persecutions or dark prospects, and to support and comfort them by the assurance that the coming of the Lord was at hand. The language of this epistle surpasses all the other writings of the New Testament in the purity of its Greek, in liveliness, and in felicity of expression. The canonical authority of this epistle has been much disputed both in early and more recent times. It is classed by Eusebius among the *antilegomena*, or writings whose authenticity was questioned, and it was rejected by Luther and some of the other reformers. The great argument in its favour is its being found in the Syriac version of the New Testament, executed at the end of the 1st or early in the 2nd century.

JANISSARIES, or JANIZARIES. *jan'-e-zar-eez*.—A body of Turkish infantry, now extinct. The name is derived from *jeniskeri*, or *jeni*, and *askari* (now troops). According to a Turkish historian, they were first assembled in 1329 by Sultan Orchan; but they were not regularly organized until 1362, when Amurath I., after conquering the southern Slavic kingdoms, claimed one fifth of the captives, including the able-bodied youth, to be converted to Islamism and educated as soldiers. This was done with extraordinary care, the recruits being distributed first among the peasantry of Asia Minor, that they might become hardened by rural life and familiar with Mohammedanism. The result was, that they manifested all the enthusiasm of proselytes. Privileges being granted them, they soon became a formidable means of defence. They were divided into 196 *ortas*, each numbering—in Constantinople nominally 100 men, and elsewhere 200 and 300 in time of peace, and 500

in time of war. They were unprovided with an *agut*, or commander-in-chief; fine soldiery rendered signal service to the Turkish empire; but at length the recruits were drawn from all ranks and classes, but from the lowest. A spirit of insubordination and chief characteristic. In 1826, the Mahmound formed the plan of getting rid of these troops. He gathered them together, and burned them alive in the barracks, or cannonaded them at the Meidan, who survived were sentenced to exile. Many thousand janissaries were thus killed, and shortly afterwards the force was formally dissolved by a firman issued by the Sultan.

JANSENISTS, jan'-sen-ists.—A party in the Roman Catholic Church, which arose about the middle of the 17th century, and took its name from Cornelius Jansenius, bishop of Ypres, who died in 1638. He was a great advocate for the doctrines of Augustine, some of whose works he is said to have read thirty times, and left a work, which was published after his death, under the name of *Augustinus*, in which, supported by quotations from the works of Augustine, he set forth the doctrine of irresistible grace and absolute election and rejection. This doctrine was not new, for it had already several times agitated the Church. Jansenius's work was fiercely attacked by the Jesuits as heretical, and as containing the five following propositions:—1, That there are certain commandments of God which good men are absolutely unable to obey, though they desire to do so, God not having given them a sufficient measure of grace; 2, that no person in the fallen state of nature can resist the influence of divine grace; 3, to render themselves meritorious in the sight of God, it is not requisite that men should be exempt from internal necessity, but only from outward constraint; 4, that the semi-Pelagians are heretical in maintaining that the human will is able to resist or obey the influences of divine grace; 5, that to say that Christ died for all men is semi-Pelagianism. After much intriguing and delay, the five propositions were condemned by Pope Innocent X. as heretical; but this by no means ended the dispute, for the Jansenists contended that they were condemned in a sense different from that which they were intended to bear by the author. An appeal was again made to the Pope, and in 1656 a new bull was issued by Alexander VII., declaring that Jansenius meant the propositions in the sense condemned by the previous bull. A formulary was now drawn out, conformably to the new bull, and all ecclesiastical persons were required to sign it, on pain of being suspended from their offices. Most of them refused, and a schism was thus occasioned in the French church, which lasted for some time. The Port Royalists (see PORT ROYAL), Arnault, Pascal, Nicole, Perrault, were conspicuous for their defence of Jansenism, and, not content with acting on the defensive, carried the war into the enemy's country, attacking the errors and corruptions of the Romish church, especially of the Jesuits; one of the ablest of their attacks being the "Provincial Letters" of Pascal. They also, as a means of dissipating error, encouraged the diffusion of education, and published a number of valuable educational works. At length, Clement IX., in order to bring about peace, attempted to compromise matters, by asking merely a rejection of the five propositions, with-

out ascribing them to Jansenius. The liberal policy of Innocent XI. tended still more to restore peace. In 1698, however, the smouldering fire was again stirred up into a fierce flame by the appearance of Father Quesnel's "Moral Observations on the New Testament." Quesnel was banished from the country; and in 1709, Louis XIV., at the instigation of his Jesuit confessor, suppressed and destroyed the monastery of the Port Royal, and the most revolting indignities were offered to the ashes of its illustrious dead. In 1713, Clement XI. issued his famous bull *Unigenitus*, condemning 101 propositions of Quesnel's work. The strife continued for some time after this, and many of the Jansenists emigrated to Holland. A number of the French clergy still hold the principles of Jansenius, and since 1854, they have had an organ in the religious press, *L'Observateur Catholique*. While Jansenism remained in France a theological school, it became in the Netherlands an independent church. In 1704, Coudé, the vicar-apostolic of the archbishopric of Utrecht, was deposed by the Pope for holding Jansenistic views; but the chapter refused to acknowledge the validity of this deposition, and in 1723 they chose an archbishop of their own. Since that time they have had an archbishop at Utrecht, and bishops at Haarlem and Deventer. These Jansenists call themselves by preference the disciples of St. Augustine, whose doctrines they maintain, upholding moral strictness, and regarding the inward service of God as the greatest proof of piety. The Jansenists of the Utrecht church number about 5,000 members and 30 clergy, for the training of whom there is a seminary at Amerspool. The Jansenistic principles also extended to Italy, especially to Tuscany, where Bishop Ricci and his party effected a temporary schism.

JANUARIAS ST., ORDER OF, *jan-u-air'-e-as*.—An order of knighthood, founded in 1738, by King Charles of Sicily, abolished by the French invaders in 1806, and reconstructed in 1811. It commemorates the early Christian martyr Januarius, bishop of Benevento, in the 3d century, whose blood, preserved at Naples, is supposed to liquefy three times a year, when the phial containing it was brought near the head of the martyr, also preserved. The Knights are either *Cavaliers de Justice* (Knights of right), who must be able to count four noble generations, or *Cavaliers de Grâce* (Knights of special creation). The badge is an octagonal gold cross, enamelled white and red, with gold lilies. On the obverse is the figure of the saint, and on the reverse an open book, and two phials partly filled with blood.

JASHER, BOOK OF (Heb., *Sepher Jasher*, book of the upright), is the name of a book referred to in two passages of the Old Testament (Josh. x. 13; 2 Sam. i. 18), but now lost. Some have held that it was the Book of Deuteronomy, others Judges; others the books of Samuel themselves. St. Jerome and some others were of opinion that it was the book of Genesis; but an invincible objection to these suggestions is, that the passages quoted are not to be found in any of the books named. Bishop Lowth, from the poetical nature of the citations from it, considered that it was a collection of national poems; in which opinion he was followed by Gesenius, who thought that it acquired its name, the "book of the upright,"

from being written in praise of upright men. The general opinion is that the book of Jasher is one of those writings which perished during the captivity. Dr. W. J. Donaldson published in 1854 a book entitled "Jasher: Fragmenta Archetypa Carminum Hebraicorum in Masorethico Veteris Testamenti textu passim tessellata," in which he attempts to restore this ancient record in accordance with his own idea of its scope and contents. He asserts that it was written during the reign of Solomon, probably by Nathan the prophet, assisted perhaps by Gad the seer; and that its object was to show that at first man was upright, but, by following carnal wisdom, had fallen away, while the Israelites were chosen to preserve and transmit this law of uprightness. He believes that it comprised the marrow of what is contained in the sacred Scriptures which were not then written; and that it was subsequently worked up in a careless or arbitrary manner into the books as they now stand, at least as far as the book of Psalms. With this view, he proceeds to build up his imaginary book of Jasher. There are also two rabbinical works that bear the title of the "Book of Jasher,"—one a moral treatise, written in the end of the 14th century by R. Shabbatai Caamuz Levita,—a copy of which, in MS., is in the Vatican Library; the other, a treatise on Jewish laws, by R. Thum, written in the 13th century, and printed at Racow in 1617. Another mediæval work, in Hebrew (printed at Venice and Prague in 1625), bears the same title, and is said to have been discovered at the destruction of Jerusalem by Titus, and to have been brought to Spain and preserved at Seville. It is probably the work of a Spanish Jew of the 13th century, containing the historical narratives of the Pentateuch, Joshua, and Judges, with many fabulous additions. A clumsy forgery was perpetrated in 1751, by one Jacob Ilive, a type-founder in Bristol, who published a work entitled the "Book of Jasher, with testimonies and notes explanatory of the text; to which is prefixed various readings; translated into English by Aleum of Britain, who went a pilgrimage into the Holy Land." This clumsy fraud was revived at Bristol, 1827; at London, 1833; and at New York, 1840.

JATAKA, *jat'-a-ka*.—A series of Buddhist records, containing an account of the 550 previous births of the Buddha. (See **BUDDHISM**.)

JEHOVAH, *je-ho'-va* (Hebrew, *Jehaveh*; abbreviated *Jah* in poetry).—A name given in Scripture to the Supreme Being. Its true pronunciation has been lost, as the Jews scrupulously avoid making any mention of it; and, according to their tradition, it was pronounced but once a year, by the high priest on the day of atonement, when he entered the holy of holies. In the Old Testament, the name Jehovah appears to express the Deity in personal action with man, as Elohim is used in a more arbitrary sense. (See **ELOHIM** and **GENESIS**.)

JEMIDAR, *jem'-e-dar*, a native officer in the East-Indian army, who holds a rank somewhat similar to that of a lieutenant in the regular service.

JEREMIAH, *jer'-e-mi'-ah* (Hebrew, "the appointed of Jehovah").—The name of one of the prophetic books of the Old Testament, called after its author, the prophet Jeremiah (referred to in the New Testament as Jeremy). It em-

braces a period of upwards of forty years, between B.C. 628 and 586. The various prophecies of this book are arranged without any regard to the order of time in which they were delivered. The following arrangement will serve to make the book more intelligible to the reader:—1. The prophecies delivered in the reign of Josiah (i.-xii.); 2, in the reign of Jehoiakim (xiii.-xx., xxii., xxiii., xxv., xxvi., xlv.-xlviii., and xlix. 1-33); 3, in the reign of Zedekiah (xli., xxiv., xxvii.-xxviii., xxxvii.-xxxix., xlix. 34-39, l. li.); 4, under the government of Gedaliah, from the taking of Jerusalem to the retreat of the people into Egypt, and the prophecies of Jeremiah delivered to the Jews in that country (xli.-xlv.). The last chapter (lii.) was added by some other hand, probably Ezra, subsequently to the return from the captivity, of which it gives a short account, and forms a proper argument or introduction to the book of Lamentations, which immediately follows. (*See LAMENTATIONS.*) Some have professed to see in the style of Jeremiah marks of rusticity; but though wanting the dignity and splendour of Isaiah, it is by no means destitute of elegance or sublimity. His prevailing tone is that of melancholy; and his mind is so deeply and sorrowfully impressed with certain scenes and events, that he dwells upon them with all the tenacity of overwhelming anguish. Some modern critics are disposed to think that Jeremiah is the author of at least 30 of the Psalms.

JESUITS, OR SOCIETY OF JESUS, *jes-u-its*.—The name of a religious order in the Roman Catholic Church, which rose in influence and power far above all the others. Its founder (1531) was St. Ignatius Loyola. Besides the three vows of poverty, chastity, and obedience, Loyola and his associates (among them Faber and Francis Xavier) bound themselves by a fourth vow to go, without hesitation, wherever the Pope might send them, in order to labour for the salvation of souls. The order was confirmed by a papal bull of Paul III., in 1549, and Loyola was appointed general. He possessed, in the highest degree, the administrative faculty which eminently fitted him for carrying out the necessary details of such a work—classifying the different duties, and distributing the various offices; and hence, in the space of a very few years, the society had established itself in almost every country in Europe, as well as in many places throughout the Old World and the New. The Jesuit was a man everywhere in request, as a man perfectly qualified for whatever task he undertook, whether as adviser, confessor, teacher, or superintendent of affairs. The superior thus held in his hand the reins of a spiritual government which was rapidly spreading itself over and beyond the Christianized world. With deep sagacity as to the remotest consequences, he strictly forbade any Jesuit to accept ecclesiastical dignities of any sort; but, at the same time, they were not forbidden, but eagerly sought after, the office of confessors to emperors, kings, and princes, and thus they obtained great power, to be used for the advantage of their order and of the Church in general. Loyola expired at Rome, July, 1556, in the sixty-fifth year of his age, after having governed the society for sixteen years. He seems to have been actuated by the belief “that all things would go well in the world, in a world-wise sense, if it were brought into a state of absolute, unreasoning, ungainsaying submissiveness

to a single hand ruling it for its good.” In a very early period, however, after the death of Loyola, and while his immediate successors were still living, certain writers gave themselves to the task of moulding an ethical system suited to the varied requirements of the Jesuit confessors, based upon a system of casuistic reasoning which found means to sanction or excuse the deepest crimes. The history of Jesuitism derives a deeper colour and a fouler stain, “not so much because crimes more flagitious were committed by the hands, or at the instigation of Jesuit agents, but because the Jesuit, whether suggesting crimes or employed in smoothing the path of the criminal, or in extracting the sting of remorse, went about the work with refined reasonings, with an apparatus of orderly logic, with a carefully-adjusted scheme of spurious ethics, which, as often as it made one man actually a criminal, prepared a hundred for walking in the same path.” The casuistry of this body is immortalized in the “Provincial Letters” of Pascal. The privileges granted to the order were such as specially enabled them to extend their power. At a time when Protestantism was so weakening the ranks of the Church of Rome, the popes saw the policy of having such a body of men to oppose them as the Jesuits; and hence they received privileges such as no body of men, either in church or state, had received before. They were totally exempted from the performance of those duties which form the chief business of other monks. They did not consume half their time in the repetition of tedious offices; they practised no rigorous austerities, appeared in no processions. They were permitted to enjoy not only all the rights of the mendicant and secular orders, but were exempt from all episcopal and civil jurisdiction and taxes, so that they acknowledged no authority but that of the pope and the superiors of their order; and were permitted to exercise every priestly function, parochial rights notwithstanding, among all classes of men, even during an interdict, but also (what is not even permitted to archbishops unconditionally) they could absolve from all sins and ecclesiastical penalties, change the objects of the vows of the laity, acquire churches and estates without further papal sanction, &c. The missionary zeal of the Jesuits has always been of the most remarkable character. They are found in every part of the East and in South America. No dangers or impediments daunted them. Macaulay has given a wonderful description of their activity in his famous review of Von Ranke’s “History of the Popes.”

Organization of the Jesuits.—The general, who is at the head of the order, has more absolute power than the general of any other religious order. He is elected for life, appoints nearly all the officers of the order, and receives monthly reports from the provincials, and quarterly reports from the superiors of the professed houses, the rectors of the colleges, and the masters of the novices. Every third year the catalogues of every province, with detailed reports on the capacity and conduct of every member, must be sent to him. The order is divided into provinces, each of which is governed by a provincial; each professed house, or house of full members, is governed by a *propositus*; each college by a rector; and each residence by a superior. A provincial congregation consists of all the professed members and such coadjutors as are rectors of colleges. A general congregation consists of all the provincial, and two delegates from each provincial congregation; and meets only for the election of a new general, or for deliberating on subjects of very great importance. The general council, which elects a new general, elects also a monitor, whose duty it is to observe the conduct and actions of the general, and, if necessary, to ad-

onish him; and a certain number of assistants, whose advice the general is bound to seek. A strict examination precedes the admission of new members, and five points are absolute impediments to admission; viz., murder, apostasy or other grievous offences, subjection to a degrading sentence, membership in a monastic order, marriage, and insanity, or decided weakness of intellect. Previous to admission, the novice must make a confession to a superior, of his sins and natural infirmities, his desires, prejudices, &c.; and these confessions must be frequently repeated during the period of his probation. At the same time, the members of the order keep a strict watch over the words and actions of the novices, of whom they are bound to report to the superior whatever of importance they discover in their conduct. The novitiate lasts for two years, during which the novices are not allowed to study, but must devote their whole time to prayer and meditation, the "Spiritual Exercises," a work composed by Loyola, being their chief guide. The novice may then offer himself for admission into the society, and being found qualified, takes the vows of poverty, chastity, and obedience, and becomes a scholastic. In this second stage, he generally devotes ten or more years to study and teaching in the colleges of the order, first studying belles-lettres, rhetoric, philosophy, the physical and mathematical sciences; then teaching in succession various branches, and afterwards spending four or six years in the study of theology and the oriental languages. The candidate then spends a second novitiate, lasting for one year, during which he lives in retirement, making himself acquainted with the constitution of his order, and preparing himself for receiving the final degree of the order. A detailed report is then made by his superior to the general of the order, and in accordance with this he is admitted to the rank of either *coadjutor spiritualis*, or *professus*. The *coadjutors* have on the whole the same rights as the *professi*, but cannot take part in the provincial and general congregations of the order, and cannot be elected to a higher office than the rectorate of a college. The *professed* members, in whose hands the supreme government of the order lies, take upon themselves the fourth vow to go as missionaries wherever the pope may send them. Besides the above classes of members, there are also *lay coadjutors*, who are received for domestic employments. The Jesuits wear no monastic habit, but dress in black, nearly like secular priests.

History of the Order.—The power acquired by the Jesuits, their intrigues and misdeeds, speedily rendered them hated and detested in most countries where they were established. They were expelled from France in 1564, in consequence of the assassination of Henry III., by Clement, and the attempt on the life of Henry IV. by Skatet, who had been a pupil at a Jesuit school, although there is no evidence that the order was in any way connected with these crimes. The order was suppressed in England in 1604, in Venice 1606, in Portugal 1759, in France 1764, and in Spain 1767. In 1773 the order was totally suppressed by decree of Pope Clement XIV. In Austria, Bavaria and other parts of Catholic Germany, the order was in great favour, and Jesuit colleges were established. In Prussia, although they had to abandon the constitution of the order, they were permitted to continue as an organized society till the time of Frederick William II. By the law of July, 1773, the order was excluded from the German empire; its establishments were abolished and foreign Jesuits were expelled. In Russia also the order found an asylum, from which they were not expelled till 1817. On the 7th August, 1814, Pius VII. issued a bull, by which he restored the order, with all the privileges which it possessed at the time of the suppression. The Church of Rome had felt its hold over the minds and consciences of the people being gradually diminished by the diffusion of heresy and atheism, and this seemed the most likely means by which it might be restored. A novitiate was opened at Rome on 17th November, 1814, and received in 1824 the direction of the *Collegium Romanum*, and in 1836 that of the Propaganda. In Modena, Sardinia, and Naples, they were restored in 1815, and reinstated in the possession of a part, or the whole, of the former property of the order, and several new houses were established. They returned to Lombardy in 1817, to Parma and Venice in 1844, and to Tuscany, for a short time, in 1846. The Revolution of

1848 endangered their existence in all Italy; mobs attacked their houses in Genoa and Naples, and they were expelled from nearly every state, even from the dominions of the pope. After the success of the counter-revolution in 1849, they returned to most of the states, except Sardinia and Tuscany; but they were again expelled by the revolutions of 1859-60, from Lombardy, Parma, Modena, and Naples; and by the establishment of the kingdom of Italy, they were required to quit their principal convent in Rome. In France (where they had 27 colleges) the order was suppressed by a decree in March, 1880, and in the following June the Jesuits were expelled.

JESUS CHRIST. (See CHRISTIANITY.)

JETSAM, JETZON, or JOTSON, jet'sam. (See FLOTSUM.)

JEWS, juze.—At first this was the distinctive appellation of Israelites of the tribe of Judah; but shortly before the Captivity (see CAPTIVITY) it was applied to all the subjects of the kingdom of Judah. After the Captivity, it denoted all Israelites who had been associated in that lamentable event, all who remained in Palestine, and all, of whatever tribe, who returned thither; also all Israelites who were dispersed abroad, but retained their national peculiarities. In the New Testament, the name is frequently used, especially in the Gospel of St. John, to denote the inhabitants of Judea as distinct from those of northern Palestine. The history of the Jews from the destruction of Jerusalem by Titus is one of exile and terrible persecution. "The Church of the Middle Ages," says one writer, "appeared to think that it honoured Christ by despising and maltreating the Jews. Their history is one of the most pathetic which the world's drama affords; and the patient endurance with which they have adhered to their national faith under such obloquy and suffering is sublime. Where they were not subjected to absolute persecution, threatening their property and their lives, they were placed under the most degrading and servile restrictions. They could own no land, belong to no guild of mechanics, enter no universities, engage in no form of art, employ no Christian service. They were shut up to trade, and then taunted with being a nation of traders. Romanism cannot rightfully be held alone responsible for this hideously unchristian treatment; for even Luther proposed to burn their prayer-books, Talmuds, schools, synagogues, and houses; lodge them in stables, like gypsies; deny them the use of the public highway, and compel them to manual labour." In most of the great towns, Jews were compelled to live in certain districts, as the neighbourhood of Houndsditch in London, and the Ghetto in Rome. In recent times, in nearly every country, legal persecution has ceased, or been greatly modified; but in some parts of the south of Russia and Germany, the popular feeling has been so great, that even within the last ten years Jews have been not only insulted and robbed, but brutally assaulted and even murdered. The number of the Jews throughout the world is probably about 6,000,000.

Jewish Disabilities in England.—An Act of Parliament passed in 1753 enabled Jews to acquire land in England. Mr. David Salomons was elected sheriff of London (the first Jew ever elected for that office), and an Act of Parliament specially passed to enable him to act, 1815. In 1837, Mr. Moses Montefiore was elected sheriff, and knighted, being the first Jew who had ever received that honour. An Act to relieve Jews elected to municipal offices from taking oaths was passed in 1846. In 1849, Baron Lionel de Rothschild was returned to Parliament for the City of London by a very

large majority; but, as he declined to take the oath, in which were the words "on the true faith of a Christian," he was unable to sit until 1853, when an Act (21 and 22 Vic. c. 49) was passed in July, enabling Jews to sit in Parliament by resolution of either House. But the same Act specially excluded Jews from holding the office of guardians and justices, or Regent of the United Kingdom, or of Lord Chancellor, Lord Keeper or Commissioner of the Great Seal, or of Lord Lieutenant of Ireland, or of High Commissioner to the General Assembly of the Church of Scotland. Whenever a Jew holds any office in the gift of the Crown, to which office is attached the right of presentation to any ecclesiastical benefice, such right shall devolve upon the Archbishop of Canterbury. In courts of law and justice, and before magistrates, Jewish witnesses are sworn on the Old Testament, wearing their hats, and saying, "So help me, Jehovah." In 1855, Alderman Salomons became the first Jewish Lord Mayor of London.

Ancient and Modern Jewish Sects.—The most important of the divisions among the religious Jews before the destruction of Jerusalem were the Pharisees and Sadducees, and in the earlier days of Christianity, there were many departures from the old faith by Gnostics and others, who grafted strange legends on to the Hebrew theology. (See various headings.) About the end of the 8th century, the important sect of the Karaites was established (see KARAITES); and about 1070, the Shabben (which see) was founded by Sabbathai Levi, a Jew of Samaria. In modern times, a sect known as the Chasidim, or Besheston, has been established. At present, the Jews are chiefly divided into two great parties—the Orthodox and the Reformists; but it is not easy to trace the strict line of demarcation, as a large number form a neutral party, with varied leanings to one sect or the other. The extreme Reformer is really a Theist, denying that any Messiah is to come, and so repudiating a main article of faith of the Orthodox Jews, has no expectation of a return of the Jews to Palestine, and pays little regard to the Sabbath.

JOB, BOOK OF. *Jobe.*—The name of one of the books of the Old Testament, so called from the patriarch whose history and whose patience under adversity and suffering it depicts. Many questions have been agitated with respect to this book, particularly regarding the reality or fiction of the history, the period in which the author lived, and the piety and ethics which the book is intended to teach. Many eminent critics have endeavoured to prove that the whole poem is a mere fictitious narration, intended to instruct through the medium of a parable, while the actual truth of the narrative has been maintained by men equally distinguished, and has, besides, been the uniform belief both of the Jewish and the Christian Church. Besides, Job is spoken of in several other passages of Scripture as being a real personage. "Ye have heard of the patience of Job," says the Apostle James. As to the age in which he lived, there is great diversity of opinion. Some regard him as living in the time of the patriarchs, others in the time of Moses, others during the Judges, others in the reign of Solomon, others in the time of the Captivity, &c. The book itself bears undoubted marks of antiquity. The Usserian, or Bible chronology, dates the trial of Job about the year 1520 B.C., or twenty-nine years before the departure of the Israelites from Egypt. In support of its high antiquity, there have been adduced, besides the general air of antiquity which pervades the manners recorded in the poem, the longevity of Job, which was characteristic of early or patriarchal times; his holding the office of priest in his own family; his allusion to that species of idolatry alone which is generally admitted to have been the most ancient—that of the heavenly bodies; and the silence of the book respecting

the history of the Israelites and the Dr. Hales has, by means of astronomical calculations, based upon the position of the star referred to by Job, attempted to fix the date of the trial, and makes it to have been 184 years before the birth of Abraham. The scene of the story is stated to be the land of Uz, which most probably is Idumæa. The Septuagint version identifies Job with Jobab, King of Edom. The different parts of the book are so closely connected together, that it must all have been the work of one author, and many conjectures have been made as to who that author was. Elihu, Job, Moses, Solomon, Isaiah, Ezekiel, and Ezra have all been brought forward as having written it. There is no reason, however, to doubt—indeed, it is highly probable—that Job was the writer of his own story, of whose inspiration we have the clearest evidence, when he says, "I have heard of thee by the hearing of the ear, but now mine eye seeth thee" (xlii. 5). But it has been suggested that the introduction and the conclusion may have been added by a later writer who gave the story that dramatic form it now presents. Luther says, "I look upon the book of Job as a true history, yet I do not believe that all took place just as it is written, but that an ingenious, pious, and learned man brought it into its present form." A modern writer says, "The references to Job by subsequent inspired writers are not consistent with the theory that he was a purely imaginary character. Moreover, the extreme circumstantiality of the details; the description of the patriarch himself, his family, his property, his country, his friends, with their names and special designations; the genealogy of Elihu; the exact account of the feasting of Job's sons; the particular mention of the plunderers there, and other similar points, make a history rather than a parable. No such minute details are found in any Scripture parable. It seems, therefore, a necessary inference that these details are not the play of fancy, but all historically true." One Biblical critic says, "There is, perhaps, no book the explanation of which has given rise to greater discussions and differences of opinion. The style is often very obscure, the meaning of the writer uncertain, by the problems discussed being amongst the gravest and most invaluable which ever perplexed the human soul; and the lesson of the book is partly conveyed by the very mystery and obscurity which enshroud it. It has been regarded as a divinely-given record of a historical example of patience; as a divine rebuke of that presumption which expects by searching to find out the Almighty to perfection; as a discussion of the much-vexed "problem of evil, for the very purpose of exhibiting its insoluble character; and as a simple but powerful exhibition of the possibility and reality of unselfish and disinterested piety. All these lessons are incidentally taught; but the grand lesson is this, that a Christless religion gives no song in the night, and that the most devout and godly man, left with no other revelation than that which nature and his own soul afford him, gropes blindly but with an agonizing earnestness for just that which the Cross of Christ affords." In this book we have an account of a man of distinguished wealth, as well as of eminent piety, suddenly precipitated from the very summit of prosperity into the lowest depths of misery and ruin—first bereaved of his wealth and children, and afterwards afflicted with a loathsome and excruciating bodily disease. Yet, under these

heavy afflictions, we are told that he sinned not, nor charged God foolishly. He is visited by three of his friends, Eliphaz, Bildad, and Zophar, on the pretence of affording him consolation. After a long silence, Job's grief breaks forth into passionate exclamations, and a vehement execration of the day of his birth. The minds of his friends are suddenly exasperated, and there consolation, if any was intended, is changed into reproaches. After many speeches and replies by Job, another speaker is now introduced, Elihu, who sums up the whole argument. After condemning the conduct of all the disputants, whose reasonings were not calculated to produce conviction, he proceeds to contest several of Job's positions, and to show that God frequently afflicts the children of men for the best of purposes, and that, in every instance, it is our duty to submit. He concludes with a fine description of the various attributes of God. Jehovah Himself now interposes, and addresses Job out of a whirlwind, in a speech of the sublimest kind. He shows Job the folly of questioning the justice or wisdom of the Divine government, when he is unable to control or so much as comprehend the commonest phenomena of nature. Then follows Job's submission and his restoration to prosperity, his possessions being doubled. Some commentators have regarded this book as a regular epic, possessing unity of action, delineation of character, plot, and catastrophe—not exactly in the Grecian, but in the Oriental style; others regard it as a regular drama, divided into acts and scenes. There are a prologue, and an epilogue; there are three series of prologues, each consisting of three speeches by Job's friends and three replies by Job. But, whatever class of composition we regard it as belonging to, it stands in the first rank of Hebrew poetry.

JOEL, BOOK OF, *jo'el* (Jehovah is God).—The name of one of the books of the Old Testament, called after its author, who is one of what are termed the minor prophets. He lived in Judah, but under what reign is doubtful, some placing him under Uzziah, others under Joash, &c. It seems most probable that the latter supposition is correct, and that the prophecies were delivered between 870 B.C. and 865 B.C. The book consists of two parts; the first (i. 2—ii. 18) giving a description of a famine caused by the ravages of locusts, and exhorting the people to repentance, in which he becomes very urgent towards the close, denouncing still greater judgments against them if they continue impenitent; and the second part (ii. 19—iii. 21), containing the divine promise respecting the removal of this judgment upon the people, the destruction of all nations hostile to the theocracy, and the glorification of that theocracy by the richest blessings of nature and the outpouring of the Spirit upon all flesh. The apostle Peter, referring to the Pentecostal outpouring of the Spirit, says—"This is that which was spoken by the prophet Joel" (Acts ii. 16), referring to Joel ii. 28-32. The canoncity of this book has never been doubted. The style is pure, elegant, and copious, and the ideas are noble and vigorous.

* **JOHN, EPISTLES OF**, the name of three of the books of the New Testament Scriptures, which, though bearing no name, are unquestionably the work of the apostle John. The author of the first epistle describes himself, at its commencement, as an eye-witness of the life of

our Lord; and the style and language manifestly harmonize with those of the author of the gospel of John. For the authenticity of the first epistle very ancient testimony can be adduced. The design of this epistle is to refute, and to guard the Christians, to whom he wrote, against erroneous and licentious tenets, principles, and practices; to stir up all who profess to know God, to have communion with Him, and to believe in Him, that they walk in the light and not in darkness, that is, in holiness and not in sin; and to help forward and provoke real Christians to communion with God and Christ Jesus, to constancy in the faith, and purity and holiness of life. The style is simple, clear, and flowing, and the epistle breathes a spirit of love and devotion, with zeal for moral strictness. The second epistle is addressed to "the elect lady and her children," and is an epitome of the first, touching in few words on the same points. The third epistle is addressed to a converted Gentile named Gaius, but of whom nothing is known with certainty. Its scope is to commend his steadfastness in the faith and his general hospitality, especially to the members of Christ; to caution him against the ambitious and turbulent practices of Diotrephes, and to recommend Demetrius to his friendship; referring what he may further have to say to a personal interview.

JOHN, GOSPEL OF, is the name of one of the books of the New Testament, written by John the evangelist and apostle, the son of Zebedee, and the younger brother of James the elder. The precise date of this gospel is not known, some placing it as early as 63 or 69, others as late as 97. There has been much speculation in modern times as to the object the apostle had in view in writing his gospel. According to some, his design was to supplement the deficiencies of the three other gospels; according to others, to confute the errors of the Nicolaitans and Cerinthus; while others are of opinion that it was to state the true doctrine of the divinity of Christ. Probably all of these and other motives may have been in the mind of the apostle; but, judging from what he himself has said, the last of these seems to have been the main motive. "Many other signs truly did Jesus in the presence of His disciples, which are not written in this book. But these are written, that ye might believe that Jesus is the Christ, the Son of God, and that, believing, ye might have life through His name" (xx. 31). No doubt has ever been entertained at any time in the Church, either as to the canonical authority of this book or to its being written by John. The circumstantiality of its details proves it to have been written by a hearer and an eye-witness; besides which there is the uninterrupted testimony of the ancient fathers in its favour. The gospel was written originally in Greek; but the place of its composition is unknown, though tradition, confirmed by some references in the gospel itself, point to Ephesus; and the time when written is supposed to have been towards the close of the first century.

JOHN, ST., KNIGHTS OF. (*See HOSPITALIERS.*)

JOINT TENANCY.—In Law, a term signifying the joint ownership of two or more persons in land or other property. The creation of an estate in joint-tenancy depends on the wording of the deed or devise by which the tenants claim title; for this estate can only arise

by purchase or grant—that is, by act of the parties, and never by mere act of law. The properties of a joint estate are derived from its unity, which is fourfold:—1, unity of interest—that is, one joint-tenant cannot be entitled to one period of duration or quantity of interest in the lands, and the other to a different; one cannot be a tenant for life and the other for years; 2, unity of title—their estate must be created by one and the same act, as by one and the same grant; 3, unity of time—the estate must be vested at one and the same time, as well as by one and the same title, with a few exceptions, as where a feoffment was made to the use of a man and such wife as he should afterwards marry; 4, unity of possession—that is, each of them has the entire possession, as well of every parcel as of the whole. In all actions relating to their joint-estate, one joint-tenant cannot sue or be sued without joining the other; neither can one joint tenant by himself do any act which may tend to defeat or injure the estate of the other. (See PARTNERSHIP.)

JOINTURE, *joint-tshur*, in Law, was originally used to denote the interest of joint-tenant, but it is now commonly applied to that portion of lands and tenements conveyed to a wife, in the event of her surviving her husband. In consequence of the inconvenience arising from the limitation of land by jointure, it has become common to convert it into an annuity for life, chargeable upon the land, with power of distress, and also right of entering upon the land, in the event of the annuity not being paid. In this way a more certain income is provided for the widow, and the heir obtains possession of the whole estate.

JONAH, BOOK OF, *jo'-na* (Hebrew, *gona*, a dove).—The name of one of the sacred books of the Old Testament, the fifth in order among those of the minor prophets. Its author, Jonah, was the son of Amittai, a native of Gathhepher, in the tribe of Zebulun, and is generally believed to have lived during the reign of Jeroboam II., though some place him forty years earlier, towards the close of Jehu's reign. With the exception of the sublime ode in the second chapter, the book of Jonah is a simple narrative. It gives an account of the prophet's commission to denounce Nineveh, and of his refusal to undertake the task; his attempt to flee to Tarshish, and its frustration, together with his delivery from the stomach of the great fish, which had swallowed him (i., ii.). He is again sent on his mission, and in consequence of his preaching, the Ninevites repent in dust and ashes (iii.). The scope of the book is to show the value of real repentance; and from the conduct of the Ninevites, our Lord takes occasion to reprove the perfidiousness of the Jews. Many have attempted to deny the literal interpretation of this book; some regarding it as an allegory, others as a mere fiction, designed to serve a moral purpose. There are also some who, while not questioning the truth of the narrative, yet have recourse to extravagant hypothesis in order to explain away the account given of Jonah's being swallowed by a great fish. The word translated "whale" in the New Testament means any large fish; and the general opinion now is, that the animal was a species of shark, within some of which whole human bodies have been found. From the manner in which the sacred historians and Jesus Christ speak of the incidents of this book, it is evident that it is a true narra-

tive of a real personage, and that Jonah was a prophet of considerable eminence.

JOSHUA, BOOK OF, *josh'-u-a* (Heb., *Jehoshua*, "Jehovah helps." Jesus is another form of the same name).—The sixth in order of the books of the Old Testament, and is a history of the Israelites under the government of Joshua, the successor of Moses, embracing the period between 1451 and 1425 B.C. The general opinion is that the book was written by Joshua himself (except the last five verses), though some regard it as the work of a later hand. The book may be conveniently divided into three parts:—1, the history of the occupation of the land of Canaan, by the Israelites (i.—xi.), and a recapitulation of the conquests, both of Moses and Joshua (xii.); 2, a description of the land of Canaan (xiii.), and a particular apportionment among the tribes (xiv.—xv.); 3, the dying address, death, and burial of Joshua (xxiii., xxiv.). The part which relates to the partition of Canaan has been compared to the Doomsday book of England. The canonical authority of this book has never been called in question, and in all the copies of the Old Testament its place is immediately after the Pentateuch. The style is clear, simple, and unpretending. There is some accidental derangement in the order of the chapters of this book. Chronologically, they should read thus:—"First chapter to the ninth verse; then the second chapter; then from the tenth verse to the end of the first chapter; after which should follow the third and consecutive chapters to the eleventh; then the twenty-second chapter, and the twelfth to the twenty-first chapter inclusive; and, lastly, the twenty-third and twenty-fourth chapters."—(*Horn.*) The Samaritans have two books extant bearing the name of Joshua, the one being a chronicle of events from Adam to the year of the Aegira 898 (A.D. 1492), and the other a similar chronicle, from the death of Moses to the death of Alexander Severus. Of the latter of these an edition was published in Arabic and Latin by Junybol, Leyden, 1848.

JUBILATE, *ju-bil-ai'-te* (Lat.), is the name given to the third Sunday after Easter, from the practice in the primitive church to commence divine service on that day, with the 66th Psalm, *Jubilate Deo, omnes terre*—Sing to the Lord, all ye lands.

JUBILEE, *ju'-be-le* (Lat., *jubilum*).—One of the Jewish festivals, which was celebrated every fiftieth year. This festival was proclaimed by sound of trumpet throughout the land, on the evening of the day of atonement. All slaves and captives were to be free, all estates which had been sold reverted to their original proprietors or their descendants, and every man returned unto his family. The ground was not to be sown, nor was that to be reaped which grew of itself during that year. The political object of this institution was to preserve the distinction of tribes and families, and to prevent too great a social inequality among the people by restoring to each his previous possessions. Some have been of opinion that the jubilee was celebrated every forty-ninth and not every fiftieth year. According to the Hebrew ritual, not only was every seventh day observed as a period of rest, but likewise every seventh year, when they were to cease from labour, and the land was to remain uncultivated. Hence it is objected to the fiftieth year, that in that case the land would remain for

two consecutive years uncultivated. The language of Scripture, however, is so decided as to the fiftieth year as to leave no room for entertaining the other opinion. The jubilee did not continue to be observed after the Babylonish captivity. In modern times the term has been applied to the year in which all who visited the church of St. Peter at Rome, for a certain number of days, with pious offerings, received plenary indulgence. A jubilee was first declared by Pope Boniface VIII., in 1300, and was to recur every hundred years; but being the means of bringing vast wealth to the Church, the period was shortened by Clement VI. to fifty years. This period was subsequently shortened by Urban VI. to thirty-three years, and by Paul II. to twenty-five, at which last it still remains. The condition of visiting Rome is no longer in force, certain acts of devotion or charity being substituted for it. The word Jubilee is also applied secularly. The jubilee to celebrate the entrance of George III. on the 50th year of his age was held in 1809. A Shakespeare jubilee, projected by Garrick, was held at Stratford-on-Avon in 1769.

JUDAISM, *ju'-da-izm*.—That religious and moral system of the Jews which was communicated to them by Moses, and which is still observed by them in the present day. Many of the early Christians, even in the time of the apostles, manifested a Judaizing spirit, and are frequently alluded to by the apostle Paul. After the destruction of Jerusalem, a sect, known by the name of Judaizing Christians, separated themselves from communion with their brethren. They afterwards became merged in other sects. (See Jews.)

JUDE, EPISTLE OF, *jude*, is the name of one of the books of the New Testament, the canonical authority of which has been much disputed in ancient and more recent times. It is placed by Eusebius among the controverted books, as having been rejected by many of the ancients; and Luther, Grotius, Dahl, and Michaelis also call it in question. The doubts thrown upon its genuineness, however, arise solely from the writer being supposed to quote apocryphal books, one of them containing the prophecies of Enoch, and the other referring to a dispute between the archangel Michael and the devil, respecting the body of Moses. The author of this book simply calls himself Jude, the brother of James, and servant of Jesus Christ; and hence it has been doubted whether he was Jude the apostle, or Jude the Lord's brother, if, indeed, these were two distinct persons, which is by no means clear. Some suppose the book to have been written about 64 or 65, others not till about 90. The epistle consists of only one short chapter.

JUDEX, JUDICIUM, *ju'-dick, ju'-dish'-e-um* (Lat., judge).—It appears that there was no class among the ancient Romans corresponding to our judges. The judices were not necessarily lawyers, and it would seem that any Roman citizen might act as judex in civil causes. The judices were allowed to have their assessors, learned in the law, to advise with. A judex judged both of fact and law, but only in such cases as were of smaller importance. An *arbiter* determined what seemed equitable in a matter not sufficiently defined by law. The *recuperatores* were another class of judges, and were so called because by them every one recovered his own.

The *centumviri* were judges chosen from the thirty-five tribes, three from each; being in all 105, but named by a round number 100. They formed a court in which weighty matters of the law were decided. The *judicia* were of two kinds, *privata* (private) and *publica* (public), the former being civil trials, having relation to differences between private individuals, the latter criminal trials.

JUDGE, *judje* (Fr., *juge*, Lat., *judex*).—One invested with authority to try any cause or question in a court of judicature, and to pronounce sentence or judgment thereon. The judges of the High Court of Justice are appointed by the Crown, and do not, as formerly, hold office during pleasure, but (by 12 and 13 Will. III. c. 2) during good behaviour, and they can only be removed on the address of both Houses of Parliament. Neither do they, as formerly, vacate their seats upon the demise of the Crown; and their full salaries are secured to them during the continuance of their commissions. Judges are not liable to prosecution for anything done by them as judges, at least within their own jurisdiction; nor are they in any way punishable for a mere error of judgment or for wrongful imprisonment. Judges are, however, punishable for wilful offences against the duty of their situation. Bribery is punishable by loss of office, fine, and imprisonment.

JUDGE ADVOCATE-GENERAL.—An ancient office, held by patent from the Crown. He is the supreme judge under the Mutiny Act, and Arbitrator of War of the proceedings of courts-martial, and the adviser in legal matters of the Commander-in-Chief and the Secretary of State for War. The salary is £2,000.

JUDGES, BOOK OF, *judj'-ez*.—One of the historical books of the Old Testament, containing the history of the children of Israel from the death of Joshua to the time of Eli, during which time the government of the people was in the hands of judges; whence the book takes its name. It comprises the history of about three hundred years, and consists of three parts. The first contains the history of the elders who ruled the Israelites after the death of Joshua, and the subsequent transactions to the commencement of their troubles (i. —iii. 4). In the second part of the book we have the history of the judges from Othniel to Eli (iii. 5—xvi.); being Othniel (iii. 9), Ehud (iii. 15), Shamgar (iii. 31), Deborah (iv. 4), Barak (iv. 6), Gideon (vi. 11), Abimelech (vi. 12 —ix.), Tola (x. 1), Jai (x. 3), Jephthah (xii. 7), Ibzan (xii. 9), Elon (xii. 11), Abdon (xii. 13), Samson (xv. 20). The third part gives an account of an idol that was worshipped, first in the family of Micah (xvii.), and afterwards in the tribe of Dan (xviii.); followed by an account of a barbarous act committed by the Benjamites of Gibeah, which led to a war between them and the other tribes, in which the tribe of Benjamin was almost extirpated (xix.—xxi.). The authorship of the book, and the time at which it was written, are subjects on which considerable diversity of opinion exists. The general opinion, and that which is held by the Jews, is that it was completed by Samuel, the successor of Eli, from the public registers or records of the events. The canonical authority of the book is undoubted.

JUDGMENT, *judj'-ment* (Fr., *jugement*, Lat., *judicium*).—In Law, is the sentence pronounced by a court of law upon the matter con-

tained in the record. It is restricted to the decisions of a court of common law,—those of a court of equity being denominated decrees. All judgments are either interlocutory or final. Interlocutory judgments are such as are given in the middle of a cause. (See INTERLOCUTOR.) Final judgments, on the other hand, are such as at once put an end to the action, by declaring that the plaintiff has either entitled himself, or has not, to recover the remedy he sues for. Judgment may, for certain causes, be suspended, or finally arrested. In criminal cases, judgment, unless any matter be offered in arrest thereof, follows upon conviction, being the pronouncing of that punishment which is expressly ordained by law.

In Logic, judgment is that operation of the human mind through which, by joining different ideas together, it affirms or denies the one or the other; as when, for instance, having the ideas of the earth and roundness, it affirms or denies that the earth is round. When expressed in words, a judgment is called a proposition. (See PROPOSITION.)

In Theology, judgment, final judgment, or day of judgment, expresses the doctrine of the Christian religion that all souls will be brought to judgment. It is believed that this stupendous event will be immediately preceded by certain great signs, as convulsions in nature; but otherwise there will be no indication of its coming. This seems to be clearly expressed by the Saviour (Matt. xxiv. 29, 30, 36, 44): "Immediately after the tribulation of those days shall the sun be darkened, and the moon shall not give her light, and the stars shall fall from heaven; and then shall all the tribes of the earth mourn, and they shall see the Son of Man coming in the clouds of heaven with power and great glory. . . . Of that day and hour knoweth no man, no, not the angels of heaven, but my Father only. . . . In such an hour as ye think not, the Son of man cometh." It is the general belief of all Christians that Christ will be accompanied by angels. There will be a general resurrection of the dead. All nations will be gathered before His throne, and all men will answer for their deeds, words, and thoughts. The wicked will be condemned, and to them it will be a day of perdition and destruction. None by nature can claim acquittance, and it is only by faith in Christ and pardon through His blood that any will be enabled to stand. This statement represents the views of the orthodox Christian Churches. The subject is encompassed with great difficulties, and will remain so until the great event arrives, and we "shall see Him face to face." (See FUTURE PUNISHMENT, INTERMEDIATE STATE, MILLENNIUM, RESURRECTION, &c.) The belief in a future judgment is not confined to Christians; but appears, with some modifications, in nearly all religions. Egyptian hieroglyphs, four or five thousand years old, represent the good and evil actions of men being weighed in a balance; and the judgment of the souls of men in the "hall of truth" by Osiris and forty-two demons, or judges of the dead.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL, *ju-dish'-ul*.—Members of the Privy Council who sit as a Court of Justice to hear appeals. The committee is composed of the Lord President, the Lord Chancellor, the principal judges, and other members who have held high legal offices.

Judicial Declaration.—In Scotch Law, a declaration, not on oath, made by one of the parties to a suit, who has been specially examined on a particular point by order of the court.

Judicial Factor.—In Scotch Law, a person appointed by the Court of Session as a guardian to protect the interests of minors, lunatics, and absent parties.

Judicial Ratification.—In Scotch Law, a formal declaration made by a married woman, in the absence of her husband, to the effect that a disposition or deed of alienation of her heritable property has been made without coercion on the part of her husband, and voluntarily on her part.

Judicial Remit.—In Scotch Law, a reference by a court or judge of some particulars to the decision of an arbiter specially skilled in such matters.

Judicial Separation.—In English Law, the separation of two married persons by order of the Court of Divorce. A wife can apply for a judicial separation on the ground of adultery, cruelty, or desertion without cause for two years. The parties, not being divorced (see DIVORCE), cannot marry again, but there is no longer the duty of cohabiting. The court has power in its discretion of awarding a certain income to the wife, and making orders for the custody and maintenance of the children.

JUDICATURE, SUPREME COURT OF. (See LAW, COURTS OF.)

JUDICIUM DEI, *ju-dish'-e-um de-i* (Lat., judgment of God).—A term applied in the Middle Ages, in reference to all extraordinary trials of secret crimes; such as those by arms, single combat, ordeals, walking over red-hot ploughshares, &c., in which it was believed that God would interfere to clear the innocent and to punish the guilty. This practice was long observed, even among Christians. The trial usually took place in the church, in presence of the bishop, priest, and secular judge, generally after a period of fasting, and after many adjurations and ceremonies. The system is very ancient, and has prevailed among various nations other than Christians. It was known to the ancient Greeks, for in the "Antigone" of Sophocles a suspected person declares himself ready to handle hot iron and to walk over fire in order to manifest his innocence.

JUDITH, BOOK OF, *ju'-dith*.—The name of one of the apocryphal books of the Old Testament (see ΑΠΟΚΡΥΦΤΑ), giving an account of the invasion of Judea by Holofernes, general of Nebuchodnosor, king of Assyria; and of the delivery of the town of Bethulia, in Judea, the destruction of the Assyrian army, and the death of Holofernes through the stratagem and courage of Judith, an inhabitant of that town. The historical and geographical difficulties of this book are too great to admit of its being literally true, or even carefully based on truth. The general opinion among critics is, that it is a Jewish romance, written, probably, in the age of the Maccabees, in order to animate the Jews in their struggles against the Syrians. It is disputed whether the original language of this book was the Chaldee or the Greek. The Latin translation by Jerome is from the Chaldee, the English translation from the Greek. The two differ from each other in many respects. There is also a Syriac version which was made from the Greek.

JUMPERS, *jumperz*.—The name given to a class of religious fanatics, from their practice of jumping during the time allotted for divine service. They arose in Wales in 1760, and several of the more zealous itinerant preachers encouraged the people to it. They were taught to cry out *Gogoniant* (Welsh for "glory"), Amen, &c.; then to put themselves into violent agitations; and, finally, to jump until they were quite exhausted.

JUNKER, *jun'-ker* (Ger., "young noble").—A term applied to the aristocratic party in Prussia which came into power in October, 1862, when Von Bismarck was appointed Prime Minister. The organ of the party in the press is the *Kreuz-Zeitung*.

JUNTA, *jun'-ta* (Span., an assembly).—A

term applied in Spain to legislative assemblies or administrative councils. In the Middle Ages, the assemblies of the representatives of the nation without any preliminary call of the monarch were termed *juntas*. It was sometimes, also, used as synonymous with *Cortes*. In 1802, Napoleon summoned together 150 representatives of the nation, under the name of *junta*, for the adoption of a constitution which he wished to establish. After the insurrection, a new *junta* was formed, composed of the principal leaders of the insurrection, and numbering forty-four members; besides which there was, in every province not subjugated by the French, a provincial subordinate to it. In English, the term *junto* (evidently of Spanish origin) is used to denote a cabal or faction.

JURISCONSULT, *ju-ris-kon'-sult* (Lat., *juris-consultus*, learned or skilled in law).—One who gives his opinion in cases of law, a master of the Roman jurisprudence. Among the Romans, *juris-consulti* were men who studied the forms and principles of law, and gave opinions upon difficult points.

JURISDICTION, *ju-ris-dik'-shun* (Lat., *jurisdictio*).—In Law, the declaration of law, a term used by the ancients to denote the administration of justice, as well as the right to administer justice. It is now commonly used to denote legal authority. The Supreme Court of Judicature has jurisdiction over the whole of England and Wales; the jurisdiction of the other courts is limited to certain districts and certain kinds of causes.

JURISPRUDENCE, *ju-ris-pru'-dens* (Lat., *jurisprudentia*).—The science of right, or of positive law. It is divided into general and particular. The former is the science or philosophy of positive law, and investigates the principles which are common to all positive systems, apart from the local, partial, and accidental circumstances and peculiarities by which these systems respectively are distinguished from one another. Particular jurisprudence treats of the laws of particular states; which laws are, or at least profess to be, the rules and principles of universal jurisprudence itself specifically developed and applied. (See Law.)

JURY, *ju'-re* (Lat., *jurata*; from *juro*, I swear).—A number of men duly authorized to inquire into or determine certain facts, and bound by oath to a faithful discharge of their duty. The time when trial by jury was instituted in this country is matter of much dispute, as well as whether it is of Anglo-Saxon or of Norman origin. It was not, however, till the reign of Henry II. that this institution became fully established and was reduced to a regular system. It was then made a mode of deciding facts in real actions, which a subject might claim as a matter of right. Inquiry into matters on behalf of the crown, by means of juries, was frequent in England long before trial by jury was commonly in use in courts of justice. At present, a jury is composed of twelve men, sworn to decide facts according to the evidence brought before them, either in civil or criminal matters. The three kinds of juries in the ordinary courts of justice in England are the grand juries, the petty or common juries, and special juries. Grand juries are exclusively connected with criminal jurisdiction. (See GRAND JURY.) By act 6 and 7 Geo. IV. c. 50, a juror must be 21 years of age, and if above

60, he is exempted, but not disqualified, from serving. There are certain classes of persons exempt from serving on juries; namely, judges, clergymen in holy orders, Roman Catholic priests and dissenting ministers, sergeants, barristers and advocates, attorneys and proctors, officers of courts, coroners, jailers, &c.; physicians, surgeons, and apothecaries, officers in the army or navy, pilots and masters of vessels, officers of customs and excise, the household servants of the sovereign, sheriffs' officers, constables, and parish clerks, and the like. Lists of persons qualified to act as jurors are made out annually by the churchwardens and overseers of each parish. Copies of this list are fixed on the church doors on the three first Sundays in September; objections are heard, and the lists allotted and signed by the justices of the peace, at a special petty sessions held for that purpose within the last seven days of the same month. The lists are used for the following year, commencing on the 1st day of January. From the list received from the clerk of the peace, the sheriff takes the names of all those persons who are described as esquires, or persons of higher degree, as bankers or merchants, which are copied out in a separate list, called the "special jury's list," from which special jurors are to be summoned when required. Special juries were originally introduced in trials at bar, when the causes were of too great nicety for the discussion of ordinary freeholders. Either party is entitled to have a special jury for the trial of any issue, as well at the assizes as at bar; he paying the extraordinary expense, unless the judge will certify that the cause required such special jury. A jury may be "challenged"—that is, either party to a suit, or a prisoner charged with an offence, may object to one or more jurors. Challenges are of two sorts—challenges to the array and challenges to the polls. Challenges to the array are at once an exception to the entire jury, as on account of some default in the sheriff, or his under-officer who arrayed the panel. Challenges to the polls, *in capite*, are exceptions to particular jurors. If, by means of challenges or other cause, a sufficient number of unexceptionable jurors do not appear at the trial, either party may pray a *tales*—that is, a supply of such men as are summoned upon another list—in order to make up the deficiency. If any man summoned to attend on a jury shall not attend in pursuance of such summons, or, being thrice called, shall not answer to his name; or if any such man, or any talsman, after being called, shall not appear, or withdraw himself from the presence of the court, the court shall set such fine upon him as it may see fit, and in the case of a viewer, not less than £10. The number of jurors that may be peremptorily challenged is fixed at twenty in felonies and thirty-five in treason. Where an alien is indicted or impeached of any felony or misdemeanour, he has the right of craving to be tried by a jury *de medietate lingue*, or half foreigners; and the sheriff, or proper officer, shall return for one half of the jury a competent number of aliens, if so many are to be found in the place where the trial is had; and if not, then as many aliens as shall be found. No such alien juror is liable to be challenged for want of freehold or other qualification, but may be challenged for any other cause. In Scotland, in criminal cases, the number of the jury is fifteen, and the majority of that number give the verdict; and in civil causes the number of the jury is twelve, and they must be unanimous, as in England; but it

is provided, that, if after three hours' deliberation in any civil cause in the Court of Session, nine of said jury shall agree, their verdict shall be taken.

JUS, *jus* (Lat.).—A word borrowed from the Latin language, and very frequently used in law and otherwise. It admits of several significations, the chief of which are—that which is right or conformable to law; also the obligation which the law imposes; also a man's privileges, whether singularly or collectively; it means likewise the power which originates from the law, as well as the place where justice is administered.

JUSTICE, *justitia* (Lat., *justicia*).—One of the four cardinal virtues, regarded by Plato as including all human virtue or duty. It is the doing what is just or right, and may be distinguished as ethical, economical, and political. The first consists in doing justice between man and man, as men, as members of the same human family; the second, in doing justice between the members of a family or household; and the third, in doing justice between the members of a community or commonwealth.

JUSTICE-CLERK, THE LORD, OF SCOTLAND, was originally the clerk and assessor of the justiciary, and was first assumed as a judge in 1603, and confirmed in 1671, when the court was remodelled. He was soon after raised to the dignity of second president of the justiciary court, and is the presiding judge in that court in the absence of the lord justice-general. He is always one of the lords of the Court of Session, and on the division of that court into two chambers in 1811, he was made *ex officio* president of the second division. The office of lord justice-clerk is now, in point of rank, the second judicial appointment in Scotland. He is one of the officers of state for Scotland, and one of the commissioners for keeping the Scottish regalia. The salary attached to the office is £4,500.

JUSTICE-GENERAL, THE LORD, OF SCOTLAND, was the president or head of the court of justiciary, and was formerly an officer of high rank and consideration. For many years it had become a sinecure, being usually held by some of the Scottish nobility, while the duties of the office were discharged by the lord justice-clerk; so that, at length, by 1 Wm. IV. c. 69, the office was declared to be abolished on the termination of the then existing interest, and the duties to devolve upon the lord president of the Court of Session, with which office they were afterwards to remain conjoined. The salary is £4,800.

JUSTICE, HIGH COURT OF. (*See LAW.*)

JUSTICES OF THE PEACE.—Justices of the peace are persons appointed by royal commission to keep the peace within a certain district. The Queen is, by virtue of her office and dignity, the principal conservator of the peace within her dominions, and may give authority to any other to see the peace kept, and to punish such as break it. All the judges of the superior courts are conservators of the peace, and are sometimes called justices; but justices of the peace, commonly so-called, are persons appointed by the Queen's special commission under the great seal, the form of which was settled by all the judges in 1590, and continues, with little

alteration, to this day. This commission appoints them all, jointly and severally, to keep the peace in the particular county named, and to cause to be kept all the ordinances and statutes for the preservation of the same; and to chastise and punish all persons that offend against the same. By 18 Geo. III. c. 20, every justice of the peace for any county, riding, or division within England or Wales, is required to have, in law or equity, in possession and for his own use and benefit, a freehold, copyhold, or customary estate for life, or for some greater estate, or an estate for some long term of years determinable upon life or lives, or for a certain term originally created for twenty-one years or more, in lands, tenements, or hereditaments in England or Wales, of the clear yearly value of £100 over and above all incumbrances affecting, and all rents and charges payable out of, or in respect of, the same, or shall be seized of, or entitled to, in law or equity, for his own use and benefit, the immediate reversion or remainder of and in lands, tenements, and hereditaments leased for one, two, or three lives, or for any term of years determinable on lives upon reserved rents, and which are of the yearly value of £300. Certain official persons are excepted from these provisions. By 6 and 7 Vic. c. 73, no attorney or solicitor shall be capable of being a justice of the peace for any county during such time as he practises as an attorney or solicitor. The office of justices of the peace subsists during the pleasure of the crown, and is determinable either directly by writ under the great seal, or indirectly by a new commission from which his name is omitted. The commission is also determined by the death of the sovereign by whom it was issued. No action can be brought against a justice of the peace for any act done by him in the execution of his duty with respect to any matter within his jurisdiction, however erroneous his decision may be, unless it be proved that the act was done maliciously and without reasonable or probable cause; and in such a case he is answerable to the Queen's Bench division of the High Court of Justice, which exercises a general superintendence over the conduct of those to whom the administration of criminal justice in the country is committed. The court will not take up the question whether the proceeding was right or not in itself, but solely whether it proceeded from unjust, corrupt, or oppressive motives. The powers and duties of a justice of the peace are laid down in his commission, and in various statutes. Act 5 & 6 Vic. c. 38, defines the jurisdiction of justices at quarter sessions, and Acts 11 & 12 Vic. cc. 42 and 43, define the duties of justices out of sessions.

JUSTICIAR OF SCOTLAND, *justitia-c-ar*, was the ancient criminal judge in Scotland, an officer of great power and authority, being at the head both of the law and the military force of the kingdom. About 1526, the office became hereditary in the noble family of Argyll, in whose hands it continued for upwards of a century, and afterwards became merged in that of justice-general.

JUSTICIARY CHIEF, OF ENGLAND.—This office is traced back to that of grand seneschal, or dapifer, of the early Franks. The seneschal was originally a sort of steward of the household of the Frank kings, who, after their conquest of Gaul, rose to be the highest officer of the state, after the king, and acted as

representative in all the departments of the state. In England, the office was divided into two parts, having two distinct officers, the one the chief justiciary, to whom the judicial affairs of the state were committed, and the other the chief officer of the royal household. The authority of the chief justiciary extended over every court in the kingdom; he presided not only in the king's court and in the exchequer, but when the office of the lord high steward fell into abeyance, he was regent of the kingdom during the king's absence, and writs ran in his name. The power of the chief justiciary was broken towards the end of the Norman period, and the *Aula Regis*, in which he presided, was divided into four distinct courts; viz., Chancery, Exchequer, King's Bench, and Common Pleas. It determined about the 45 Hen. III.

JUSTICIARY, HIGH COURT OF.—

The supreme criminal court of Scotland, composed of five lords of the Court of Session, added to the lords justice general and justice-clerk. Its constitution was settled by Act 1872 c. 16. It sits from time to time in Edinburgh, during the year, according to the amount of business to be transacted; besides which, the lords of justiciary are directed to hold circuit courts regularly twice a year, in spring and autumn, in different parts of the country. There are three circuits: the South, consisting of the burghs of Jedburgh, Dumfries, and Ayr; the West, consisting of Glasgow, Inverary, and Stirling; and the North, consisting of Perth, Aberdeen, and Inverness. Besides which, a winter circuit court is held in Glasgow. Each circuit court is attended by two judges; but in Glasgow they may sit separately in different courts. The jurisdiction of this court extends to all crimes, and includes the whole of Scotland; and it has also the power of reviewing the sentences of all inferior criminal courts in Scotland. From its decisions there is no appeal. The Circuit Court has also a civil jurisdiction as a court of appeal.

JUSTIFIABLE HOMICIDE. (See HOMICIDE.)

JUSTIFICATION, *jus-ti-fi-ca-ti'o* *dhun* (Lat., *justus*, just, and *facio*, I make).—A term denoting a judicial act—the declaring or pronouncing a person just or righteous according to law. It is used either in a legal or theological sense. Where a person is found not to have broken the law, he is said to be justified in a legal sense. But in this way none of the human race can be said to be justified or stand acquitted before God; for we are told that “there is none righteous; no, not one.” The justification, therefore, of which the Scriptures principally treat, is not a personal, but an imputed righteousness. It is through the righteousness of Christ, the spotless obedience, bitter sufferings, and accursed death of the Son of Man, who became surety for him, that the sinner is justified before God.

JUSTINIAN'S CODE, OR LEGISLATION, *jus-ti-ni-a-nus*.—The name given to the code of laws drawn up by order of the Roman emperor Justinian, soon after he ascended the throne. His object was to establish a complete system of written legislation for all his dominions; and to this end to make two great collections—one of the imperial constitutions, or the best and most useful laws of his predecessors from the time of Hadrian; the other of all that was valu-

able in the works of the jurists. In A.D. 528, he named a commission, consisting of Joannes and nine other persons, to compile the preceding constitutions, with ample powers to correct and retrench, as well as to consolidate and arrange. Partial compilations had previously been made, as by Gregory and Hermogenes, in the reign of Constantine and the Theodosian code effected under Theodosius II. The commission executed their task speedily; and on the 7th of April, A.D. 529, it received the imperial sanction. At the end of the following year, Tribonian, who was one of the previous commission, and had given great proofs of ability, was authorized to select fellow-labourers to assist in the other and more difficult part of the undertaking. He selected sixteen conditors, and they set to work with such earnestness that their task was completed in little more than three years, and received the imperial sanction on 30th December, 533. The compilation, termed “*Digesta*,” or “*Pandectæ*,” from its comprehensive character, was divided into fifty books, and arranged on the model of the Perpetual Edict. It comprehends upwards of 9,000 extracts, in the selection of which the compilers made use of nearly 2,000 different books, containing more than 3,000,000 lines. Justinian wished that his body of laws should supersede all others, both for practice and for study; but the *Digest* and *Code* led too far into details, and could not be well understood by beginners; hence the necessity for having an elementary work composed for that purpose. A work of that kind, and many additions to the original *Code* and *Digest* subsequently appeared. The “*Institutes*” and the “*Novels*” were promulgated in the year 534. These various compilations have since been called, collectively, the body of civil law—(*Corpus Juris Civilis*). (See CIVIL LAW.) These works of Justinian, notwithstanding their defects and faults, are deserving of very great praise. They have exercised an incalculable influence over the thoughts and actions of men, and are to be found pervading most of the systems of law of the civilized world. The “*Digest*” is especially valuable as preserving the remains of the works of jurists which would otherwise have been lost, and which are of great value as illustrating the history of these times, and affording models of legal reasoning and expression.

JUVENILE OFFENDERS, *ju'-ve-nile* (Lat., *juvenis*, young).—A number of statutes have of late years been passed regarding the reformatory treatment of juvenile criminals. By 17 & 18 Vict. c. 80, any person under sixteen years of age who shall be convicted of any offence before a magistrate, or two or more justices of the peace in England, or any sheriff, or magistrate of burgh, or police magistrate, in Scotland, may, in addition to the sentence passed as punishment, be sent to a reformatory school, to be detained for a period of not less than two or more than five years; there must, however, be a previous imprisonment of not less than fourteen days. The Treasury is to defray the whole or a portion of the cost of the care and maintenance of such offenders, at such a rate per head as shall be determined on. The court may, however, compel the parent, or step-parent, to support such offender, if of sufficient ability to do so. In 1854, an Act was passed, authorizing the commitment of juvenile offenders to reformatories.

K.

KAMI, ka'-me.—A name given in Japan to certain spirits or divinities, the belief in which seems to have characterized the ancient religion of that country, before it became intermingled with foreign doctrines, and still constitutes its basis. The kami are believed to be partly elemental, subordinate to the deities of the sun and moon, and partly the spirits of men—in fact, every natural agent and phenomenon is supposed to have its own spirit or genius. The spirits of human beings survive the body, and, according to the actions of the individual in life, receive reward or punishment. When a man's life has been distinguished for its piety, or for the good he has done to his fellow-men, after death he is deified, and his kami is worshipped. The number of these kami is estimated at 3,000, and they are worshipped in temples without statues or images. Each kami is represented by a mirror, as the emblem of purity; and all the rights and ceremonies seem to be typical of purification. The priests who superintend the worship of these temples are called kami-rasi, or the ministers of the spirits.

KANTIAN PHILOSOPHY. *kant'-yan.*

—The name given to that system of philosophy which was promulgated by Immanuel Kant, professor of logic and metaphysics in the university of Königsberg in the latter half of the 18th century, and who was one of the greatest philosophers of modern times. His system, like that of Dr. Reid, was a recoil against the scepticism of Hume, and it was equally opposed to the dogmatism of Leibnitz and Wolff. His philosophy is nearly all contained in his "Critique of Pure Reason." He insisted upon the necessity of a stricter analysis of our intellectual powers, in order to ascertain the nature, and determine the limits of human knowledge: the result was, that a whole system of knowledge undervived from experience was proved to exist in the mind. The materials of *pure* or *a priori* knowledge are supplied by the three departments of sense, understanding, and reason. In the world of sense the transcendental, or pre-existent, elements, of knowledge are space and time; these are pure sensations intuitions, without which empirical sensations would be impossible. Sense delivers up its presentations in space and time to the understanding, whose office it is to introduce into them unity and system. All its operations are generalized into modes or forms of conception, which, after the example of Aristotle, he names "Categories of the Understanding." These are—(1) Quantity, comprising utility, plurality, totality; (2) Quality, comprising reality, negation, limitation; (3) Relation, comprising substance, cause, reciprocity; (4) Modality, comprising possibility, existence, necessity. These are the forms, as it were, in which the rude material of the senses is shaped into conceptions, and becomes knowledge, properly so called. Kant laboured to show that without them no connection of the materials of sense is possible. They are the constant and invariable conditions of all mental conceptions, and are the things which connect or bind the understanding with all external objects. All our judgments he divides into two kinds—analytical and synthetical—the

former being a kind of experimental sketch, the result of a separation of the different qualities or properties of any thing, the latter being independent of experience and universal in its nature. The third and highest faculty is the reason—the faculty of ideas. Reason creates no new materials of its own; it only enlarges the data of the understanding, by taking in all the conditions on which they depend. The three great attributes of reason are absolute unity, absolute totality, and absolute causation. All these absolute ideas are involved in every act of reasoning. There are also, according to Kant, three grand forms or ideas soaring above pure intellect, and having an existence independent of experience, which come within the province of pure reason. These are the universe, the soul, and God. The first embraces the entire mass of all real or possible physical knowledge, forming the science of cosmology; the second, the feelings, emotions, passions, &c., which constitute our moral and intellectual nature, forming psychology; and the third, all the reasonings relative to the mode of being, the attributes, and moral nature of the Deity, forming theology. These three ideas Kant maintains to have their birth in human reason irrespective of all experience, and to spring up inevitably so as to control and influence the working of the understanding as applied to experience. As regards the moral and religious principles of our nature, these are based upon consciousness. In order to learn our duty both to man and our Maker, we must penetrate into our internal structure, examine all the motives, impulses, and aspirations of the soul, and look at the final ends or purposes which its various faculties are fitted to produce. In this way we discover the nature of duty and of right; what is necessary and what is expedient; what is good and what is pernicious. All moral laws exist *a priori* in the mind, and are completely independent of the thinking principle. The whole moral economy of man points to another great truth—that of the existence of Deity. The practical reason of mankind clearly demonstrates that there must be a supreme, universal, infinite existence. Such is a brief outline of the philosophy of Kant. "Taken altogether," says Dr. Cairns, "it is impossible to regard Kant's writings as any other than a prodigy of human intellect, and his influence as one of the mightiest forces that has ever ruled philosophical opinion. It may be safely pronounced that no philosopher of the eighteenth century—perhaps none since the days of Aristotle—has left behind such monuments of thought, or has so firmly imposed the task of mastering them on the speculation of all succeeding ages."

KARAITES. (See KARAITES.)

KATHARINE'S HOSPITAL, *kath'-a-reen.*—A hospital founded about 1148 by Matilda, Queen of Stephen, on a site near the Tower of London. It was removed to the Regent's Park in 1827, the site having been sold to the St. Katherine's Dock Company. The brethren are unmarried and in holy orders; the sisters are unmarried or widows.

St. Katherine, Order of.—An order of nurses instituted by the Queen in 1879. The members wear a badge.

KEEL-HAULING.—A method of punishment employed in the Dutch navy, and although not entirely unknown in our own, is seldom or never now practised. It is extremely cruel and dangerous. The culprit is generally let down from the bows under the bottom of the ship, and drawn along the length of the keel by two ropes stretched from each side of the ship; after which he is once more taken on board over the stern. By reason of the number of barnacles and other obstructions on the bottom of the ship, this punishment inflicts many cuts and bruises.

KEEPER, *keep-er* (Ang.-Sax.). means, literally, one who holds possession of anything for the use of another. The high office of *keeper of the great seal* is now merged in that of the Lord Chancellor. (See **LORD KEEPER**.) The *keeper of the forest*, or chief warden, is an officer who has the principal government of all things connected with royal forests, and is above all other officers having rule over the same. The *keeper of the trunk* was the name formerly given to an officer of the royal mint, now called the *master of the assay*.

KERI-CHETIB, *ke-re ket-ib*.—A term applied to various readings in the Hebrew Bible. The signification of *keri* is that which is read; while *chetib* means that which is written. The number of *keri-chetibs* is estimated at a thousand, and most of them are attributed to Ezra; but, as several connections of this kind appear in his own writings, it is probable that many were made at some subsequent period.

KEYS, POWER OF THE.—A power claimed by Roman Catholics for the Pope to open and shut Paradise when he pleases, founded upon the saying of Jesus Christ to Peter—"I will give thee the keys of the kingdom of heaven." (Matt. xvi. 19.) It denotes the power of inflicting spiritual punishment and of absolving from it.

KHOTHAB, *kol-bah* (Arab.).—A particular form of prayer used by the Mohammedans at the commencement of public worship in the great mosques on Friday, at noon. It was originally performed by the prophet himself, and by his successors, up to A.D. 606. The sultan of Turkey has always considered it one of his chief prerogatives to have his name inserted in the *khotbah*.

KIDNAPING, *kid-nap-ping* (Ang.-Sax.).—A term popularly applied to the forcible abduction and conveying away of a man, woman, or child, from their own country and sending them to another. It is an offence at common law, punishable by fine and imprisonment. Child-stealing is a felony. (See **ABDUCTION**.)

KIN OR KINDRED, *kin, kin-dred* (Ang.-Sax.).—In law, a term applied to certain persons related to each other. There are three degrees of kindred recognized in law—one in the right line descending, another in the right line ascending, and the third in the collateral line. In the right line descending, the kindred of the male line are called *agnati*; of the female, *cognati*. It proceeds from father to son and daughter, grandson and granddaughter, and so on. The right line ascending is directly upwards, from son to father and mother, grandfather and grandmother, &c. The collateral line is either descend-

ing by the brother or sister, and their children downwards, or ascending by uncle or aunt, grand-uncle, grand-aunt, &c., upwards.

KING, *king* (Sax., *egum*; Swed., *long*; Germ., *konig*).—The title given to the principal person in any state, who exercises a greater or less degree of sovereign power, according to the nature of the laws of that state, and in whom the principal executive functions are vested. The term itself is of Teutonic origin, and implies a person who has attained a greater degree of knowledge than those around him, and is therefore entitled to exercise the chief power among them. The office of king is hereditary in England, and has been so ever since the accession of William the Conqueror, although the descent has not been preserved in an unbroken line from father to son since that time, but has passed into other branches of the royal family, or into families closely allied to them by marriage. At present, in accordance with the spirit of the saying, "The king never dies," the king or queen of England, as the case may be, comes to the throne immediately on the death of his or her predecessor, and enjoys full and immediate possession of the sovereign power; but formerly a short period of time elapsed between the close of the reign of one king and the commencement of the reign of his successor, which was requisite to a certain extent to obtain some recognition of the authority of the latter from the people. The person of the king is sacred, and no legal measures can be taken against him to bring him to account for any act that he may have committed; but, according to the constitution of the government of this country, it is impossible for the monarch to do anything prejudicial to the interests and welfare of the people, as the king always acts through his ministers, who may be impeached for any transgression of the laws; and the Houses of Parliament and the people, through their representatives in the House of Commons, virtually exercise a direct control over his power, since no law can be brought into operation and enforced without the concurrence of both those bodies, although, at the same time, every enactment passed by them requires the royal assent before it becomes the law of the land. It is the province of the sovereign to send embassies, to conclude treaties, and make war and peace with other nations. He bestows titles; convenes, prorogues, and dissolves parliament; appoints the judges and high officers of state, the bishops and governors of colonies, and grants commissions to officers in the army and navy. Charters of incorporation for companies, collegiate bodies, and towns are also granted by the king. Some monarchs are styled emperor instead of king; but the functions discharged by both are similar, although the title seems to imply supremacy of an absolute nature, and does so in some cases. The words *czar*, *sultan*, and *shah*, applied to the monarchs of Russia, Turkey, and Persia, and *elector* and *grand-duke* applied to the rulers of Hesse-Cassel and many of the smaller German states, are equivalent to the term king.

KINGS, THE BOOKS OF, is the name of two of the historical books of the Old Testament. Originally, they formed only one book, and were first divided in the Septuagint, in which they are entitled the third and fourth books of Reigns or Kingdoms, the books of Samuel, which they divided in the same way, being the first and second. In the English authorized version they

good the loss. If the borrower keeps the thing borrowed after it is his duty to return it, or longer than a reasonable time after it has been demanded, then his relation to the lender changes totally, and he becomes liable for any loss or injury that may occur, although wholly without his fault. The borrower has no right to detain the thing borrowed for any antecedent debt due to him, nor can he set up a right to detain the chattel for payment of necessary expenses incurred by him in the keeping and preserving it. In the case of a *matuum*, the borrower is bound to restore at a time agreed upon, or within a reasonable period after request, an article of the same kind and quality as the one originally lent to him. This is essential to the character of a *matuum*; for if by agreement an article of different kind is to be returned, then the contract is not a *matuum*, but an exchange or sale. As the right of property is transferred by *matuum*, so also is the risk of loss; and hence if the thing borrowed is destroyed before it can be used, the borrower is nevertheless bound to pay to the lender the equivalent which he owes at the time appointed. Such is loan in its strictly legal signification; but, in common phraseology, the term is used even when compensation is included, which legally comes under the designation of hiring. Money lent at so much per cent. is also called a loan. A loan of money to be used for hire is a loan for use and consumption, the identical thing lent not being intended to be returned, but its equivalent in value and kind. The Mosala law strictly forbade loans at interest, but enjoined them in the way of friendship. The restrictions upon loans with usury were further confirmed by Nehemiah, and usury was condemned by Jesus.

LOAN, PUBLIC, is the name given to money borrowed by the state, which constitutes the national debt. (See NATIONAL DEBT.)

LOBSTERS, SALE OF, *lob'-sters*.—It is illegal to sell, or offer for sale, lobsters less than eight inches long. In Scotland, lobsters must not be caught between June 1 and September 1. The penalty is £5.

LOCAL, *lo'-kal* (Lat., *locus*, a place), is applied to something supposed to be fixed or annexed to some particular place. Thus, in Law, real actions are local, and require to be brought in the county where the lands lie; but a personal action, as of trespass or battery, is transitory, not local; and it is not material that the action be brought in the same county where the act was done. A thing is also said to be local that is fixed to the freehold. Local customs are customs peculiar to some particular lordship or other district, and differing from the general customs of the country. (See CUSTOM.)

LOCAL GOVERNMENT BOARD.—This department of the Government is a development of the arrangements legislated for in 1834. The Poor Law Amendment Act of that year first instituted Poor Law Commissioners as superintendents of the New Poor Law. In 1849, these Commissioners were constituted into the Poor Law Board, having at first only the review of strictly Poor Law business; but other local business being by degrees added to the functions of the Board, it was, in 1871, further enlarged and extended in the Local Government Board, its president being a member of the Cabinet. In addition to the review of the Poor Law exer-

cised by the original Commissioners, it has administration and powers with reference to public health and local government generally, with extensive option of audit and veto with reference to local business throughout the country.

LOCATION, *lo'-kat'-shun*.—In Law, is a contract by which a hire is agreed to be given for the use of anything, or for the labour of any person.

LOCOFOCO, *lo'-ko fo'-ko* (probably from Lat., *loco foci*, instead of a fire).—A term applied to the ultra-democratical or Tory party in America. Lucifer matches are termed locofocos in America, and the application of the word to this particular political party arose thus:—In 1834, a certain number of the extreme Democratical party met at Tammany Hall, New York, and, there happening to be a great diversity of opinion, the chairman left his seat, and the lights were extinguished, with a view to dissolve the meeting; but those in favour of extreme measures produced locofoco matches, rekindled the lights, continued the meeting, and accomplished their object.

LOCUS DELICTI, *lo'-kus de-lik'-tu*.—In Criminal Law, is the place where a crime under consideration has been committed.

LOCUS POENITENTIALIS, *pen-i-tent'-sial*.—In Scotch Law, is the time within which either party may withdraw from a bargain agreed upon but not carried into effect. The rule is that the bargain may be rescinded unless either of the parties has become committed by it; that is, if the one has agreed to buy in order to fulfil his contract, or the other has agreed to sell upon the faith of the contract eventually enabling him to supply; then the contract can be enforced by the party who has so moved in it. When the point arises it is generally liable to very nice distinctions. There seems to be no corresponding contingency in English law.

LOGIC, *lod'jik* (Gr., *logikos*), considered in its most catholic relations, is the science of formal and material reasoning. In its strictly formal aspect, logic is the science of the necessary laws of thought; in its material aspect, again, it is the science of the laws of thought applied to practice. In the former sense it is a science, in the latter it is an art. In the one sense, thought is regarded as complete, perfect; in the other, it is regarded as limited, imperfect. Logic divides itself into Deduction and Induction. Deduction is an *a priori* science, not an *a posteriori* one, for it deals exclusively with those truths on which all experience depends, rather than those truths which form the substance of experience itself. This system of doctrine owes its existence to Aristotle, who indicated its outline and created the science. In the progress of its history it had received various minor modifications and additions from various philosophers; but until Sir Wm. Hamilton's time no logician made material improvements on it. It is usual to divide formal logic into three parts:—1. *Concepts or Notions*; 2. *Judgments*; 3. *Reasonings*. In other words, the formation of general notions, the decision whether those concepts agree or not, and the drawing of one such judgment from another. These parts in their order, and first of *Concepts*. A concept is the result of an act, known as conception, which includes the comprehension of the various qualities of an object

up to unity. Notions, again, are rather the apprehension of these qualities than the final bundling up of them, which belongs exclusively to conception. The two terms, however, are frequently used synonymously. When the mind, after surveying a series of objects, draws away (*abstrahere*) or abstracts a number of qualities from those objects, and classifies them, arranges them into order or genera, generalizes them, in short, and gives a name to each class so formed, the process of conceiving or forming concepts may be said to have been gone through. Some concepts will be more general, some will be less general, though all will be reducible to genera and species. Thus, the individual, or single objects, as *this horse*, *that man*, being the names of so many facts or things on which logic is supposed to operate, belong neither to genus nor species, and are properly beyond its domain altogether. The lowest species (*infima species*) can never be a genus. The highest genus (*sumum genus*) can never be a species. The subaltern genera (*genus subalternum*) are genera to those beneath them, and species to those above them. Thus, *Socrates* is an *infima species*, being is a *sumum genus*, and *man* is a *subaltern genus* to *Socrates* and being. If we regard the *Quantity* of a concept, we recognize the classes or things of which it may be predicated, or the characters of which it is made up. In the former case, we regard the *Extensive Quantity* of concepts; in the latter, their *Intensive Quantity*. Thus, in the expression *man*, or *rational animal*, if I abstract the *rational* from *animal*, I thereby diminish the intensive or internal quantity of the concept, but increase its extension; for the term *animal* covers a much greater number of objects than *man*. The leading words that are employed in designating the quantity of concepts are, for their extension, *class* or *genus*; for their intension, *mark*, *note*, *attribute*, *character*. We amplify the extension of concepts by abstraction or generalization; we amplify their intension or comprehension by determination. We resolve the extension of a notion by division; we resolve its intension by definition. Hence an individual notion cannot be divided (*in-dividuum*), and a simple, or definite notion (*de-finitum*) cannot be defined. Again, as the characters of a concept may be more or less firmly seized by consciousness, and more or less perfectly grasped, we have the logical *Quality* of concepts, or their relative clearness or distinctness, and their obscurity or indistinctness. The peculiar form which a concept assumes when recalled by the mind, brings us abreast of the most important controversy in all speculation—that of Nominalism and Realism. Leibnitz's answer to this question is the one now adopted by all intelligent logicians. It is that, when concepts are recalled, we either comprehend the essential marks contained under the notion, or we only comprehend a few of these marks at a time, though we assume we know them. In the former case it is *intuitive* or *notative* knowledge we have of the notion; in the latter case it is *symbolical*. In the third place, concepts may be mutually compared as to their *Relation*, which consists in the reciprocal comparison of their various attributes. That is to say, that notions can only be compared as to their mutual extension, and as to their mutual comprehension one with another. So much for the doctrine of Concepts. We proceed now to the second part of logic; namely, *Judgments*.

judgment is the affirmation that two concepts can or cannot be reconciled, or (more correctly) that two concepts, a concept and a thing, or two individual things, agree or disagree. As we have just recognized a certain quantity, quality, and relation among Concepts, so we must now recognize a quantity, quality, and relation as affecting Judgments. This is why it was remarked some time ago, that the thorough comprehension of the doctrine of Concepts may be regarded as the thorough comprehension of the master principle of logic. In the judgment, *Socrates is rational*; *Socrates* is called the subject, *rational* the predicate, and *is* the copula. But in numerous propositions the copula is not expressed, it is merely understood. The first great distinction of judgments is taken from their quantity, or their relation of subject and predicate, as reciprocally whole and part. Is the predicate viewed as the containing whole? The judgment is pronounced an *extensive* one. Is the subject regarded as the containing whole? The judgment is an *extensive* or *comprehensive* one. Thus, in the proposition, *All plants grow*, if we view *grow* as the containing whole, we have a proposition in extension; as, *All plants belong to the class of growing objects*. And if, in the same proposition, we view *plants* as the containing whole, we have a proposition in Comprehension, as *The attribute or mark of growing belongs to all plants*. But judgments have a certain quality as well as quantity, according as the subject and predicate reciprocally agree or disagree, affirm or deny, in the quantities of extension and intension. In reference to their quantity and quality together, propositions are usually designated by the vowels A, E, I, O. The Universal Affirmative are denoted by A, the Universal Negative by E, the Particular Affirmative by I, and the Particular Negative by O. Or, to employ the mnemonic lines of Petrus Hispanus:

Afferit A, negat E, not universaliter ambo;

Afferit I, negat O, sed particulariter ambo.

But these four species of proposition are obtained solely by determining the *quantity* of the subject alone, together with the quality of both subject and predicate. Now this is where the importance of Sir William Hamilton's "though going quantification of the predicate" comes in. He proposes *not only to quantify the subject, but the predicate also*. Eight species of proposition are thus evolved, which, taking A and I for universal and particular as in the Aristotelic notation, but extending them to either quality, and marking affirmation by an *f*, and negation by an *n*, we have the following sets of propositions:—

Affirmatives.

1. Toto-total = AfA = All X is all Y.
2. Toto-partial = AfI = All X is some Y. (A)
3. Parti-total = IfA = Some X is all Y.
4. Parti-partial = IfI = Some X is some Y. (I)

Negatives.

5. Toto-total = AnA = Any X is not any Y. (E)
6. Toto-partial = AnI = Any X is not some Y.
7. Parti-total = InA = Some X is not any Y. (O)
8. Parti-partial = InI = Some X is not some Y.

Of all these judgments, 6 and 8 are the weakest, yet it is always possible to allege that *any man is not some brute*, or that *some man is not some brute*. Yet it must be acknowledged that though these propositions are conceivable, they are of little practical utility. The third great division of judgments is their relation, or the coincidence or non-coincidence of subject and predicate. This relation is either simple or conditional. On the

former alternative the proposition is *Categorical*, on the latter—inasmuch as the condition lies either in the subject alone or in the predicate alone, or in both the subject and predicate—it is *Hypothetical*, *Disjunctive*, or *Dilemmatic*. So there are four kinds of relation between the subject and predicate of a proposition, which may be exemplified as follows:—*A is B* is the formula for a categorical judgment; *If B is, A is*, is a hypothetical one; *D is either B or C* or *A is a disjunctive one*, and *if X is A, it is either B or C*, is a dilemmatic one. We may remark, in conclusion, on this part of our subject, that the Aristotelic doctrine of the categories and of the predicables, as properly extra-logical, of course finds no place here. The third grand division of logic is *Reasoning*, or *Syllogism*, or the process by which one judgment is derived from another or more. And as in Concepts and in Judgments we have here recurring again the old relations of quantity, quality, relation. It must not be forgotten that the essence of syllogism consists in the production of a new and distinct judgment, not in the *truth* of any one of the given judgments. The *Premises* are the two given propositions or the antecedent, and the *Conclusion* is the proposition sought, or the consequent. The premise which announces the general rule is called the *Major*, the one which announces the application of the general rule is called the *Minor*, and the *Middle term* is that with which the two extremes of the conclusion are separately compared. The three propositions of a syllogism are frequently correctly expressed by the *Sumption*, *Subsumption*, and the *Conclusion*. Now, there are two kinds of inference—immediate and mediate. When we can decide at once, as soon as we understand the terms of the two propositions involved, whether they agree or disagree, the inference is termed *immediate*; but when we require to go in quest of a third or *middle* judgment, or term with which each of the other judgments may be compared, the inference is called *mediate*. For example—all good rulers are just, therefore no unjust rulers can be good, is a specimen of immediate inference; and—all consumptions are mortal; this disease is a consumption; therefore this disease is mortal, is an example of mediate reasoning. The different sorts of immediate reference can be pursued no farther here. There is a general canon for conducting Mediate reasoning, which may be thus expressed. The agreement or disagreement of one judgment with another is ascertained by a third judgment, inasmuch as this, wholly or by the same part, agrees with both or with only one of the conceptions to be compared. There are a number of general rules for the proper construction of syllogisms, which may be conveniently condensed as follows:—Distribute the middle term (i.e., take it in its widest signification), let there be no fourth, and both premises must be neither particular nor negative. The conclusion then will follow the worst part (as “some flowers are blue”), and will neither distribute nor deny unless when the premises do so. All Mediate inference is probably one—that often called by logicians the categorical, for the conditional and hypothetical syllogisms are all reducible by immediate inference. The regular syllogism, then, regarded as to its essential form, comes now to be considered. And first of the *figure*, or the position of the middle term in the premises, and of the *mood* or *mood*, or the formal value of the three judgments of a syllogism as to their quantity, quality, and relation. There is

only one figure according to some logicians, three according to others, and four according to a third party. Those are as follows:—Where S represents the subject, P the predicate of the conclusion, and M the middle term. Fig. I.—MP, SM, .SP. Fig. II.—PM, SM, .SP. Fig. III.—MP, MS, .SP. Fig. IV.—PM, MS, .SP. The Terms alone being here stated, the quantity and quality, indeed the Mood of the whole of the syllogisms, remain to be filled up; in other words, between M and P, for example, we may place either a negative or affirmative copula, and we may prefix either a universal or a particular sign to P. The Moods are ordinarily applied to each figure by the three letters which severally denote the quantity and quality of each judgment. Thus, AII, Fig. I, reads as follows, which can be readily verified by turning back to mnemonic lines which were given under Judgments. All M is P; some S is M; therefore some S is P. And EIO, Fig. II, reads,—no P is any M; some S is some M; therefore some S is no P. IAI, Fig. III, reads,—some M is some P; all M is some S; therefore some S is some P; and so on. A few mnemonic lines of considerable convenience have been invented, which serve to point out the various moods in each of the four figures, according to the old notation. They are as follows:—Fig. I.—bAAbAa, cEIArEnt, dAII, fEIOque priors. Fig. II.—cEsArE, cAmEstEs, fEstInO, bArOkO) secunde. Fig. III.—tertia, dArApIt, dIAAmIs, dAtIsI, fElApfOn, bOkArD() fErieO, habet; quarta insuper addit. Fig. IV.—brAmAntIp, cAmBnEs, dImArIs, fEsApO, fIEIsOn. There will be found nineteen legitimate moods in the whole of these figures, but sixty-two according to Sir William Hamilton's extended notation (for which see above to his extended judgments). Before leaving this part of the subject, it may be well to state that the first figure is the most perfect, that is to say, it exemplifies best the Aristotelic dictum de omni et nullo, or whatever is affirmed or denied of a class may be affirmed or denied of any part of that class. To take an example. All plants need light; sunflowers are plants; therefore sunflowers need light. Some logicians, as Aristotle, Kant, and Sir William Hamilton, throw overboard all the figures but the first, and with them of course annihilate reduction. Reduction is the process by which the other figures are brought under the form of the first figure. This is usually effected by changing the order of the terms, or where that cannot be done, by substituting a privative conception (as “unwise” for example) for a positive judgment, and then changing the order of the terms by conversion as it is called. As often occurs, many a piece of reasoning, being without subjects or predicates expressed, belongs properly to no figure. There have been, in all, three peculiar schemes of syllogistic notation.—those of Lambert, Euler, and Sir William Hamilton. The last is by far the simplest and most complete, but cannot be exhibited here. A conditional or hypothetical syllogism contains, of course, a conditional or hypothetical judgment, and a disjunctive syllogism contains a disjunctive judgment. These have all been disposed of as belonging properly to immediate inference. When syllogisms are taken in their external form, we have three species of reasoning which require some elucidation. There is first the *Epichrema*, or reason-rendering syllogism; there is, secondly, the *Sorites*, or chain-argument, as the Germans call it; and there is, thirdly, the *Enthymeme*.

with one premise suppressed. To illustrate,—the Epicheirumma is B is A ; but C is B , for it is D ; therefore C is also A . The Sorites is, A is B , B is C , C is D , D is E ; therefore A is E ; reduced to B is C , A is B , therefore A is C ; C is D , A is C , therefore A is D ; D is E , A is D , therefore A is E . The Enthymeme, as a kind of colloquial argument, needs but little illustration here. All these species of reasoning have various forms. Besides these, there are the Monosyllogism, where the reasoning is viewed as an independent whole; the Prosyllogism, whose conclusion is a premise in a given syllogism; and the Episyllogism, whose premise is a conclusion in a given syllogism. These arguments very frequently occur in life. It should not be forgotten, however, that the simple syllogism is the type of all reasoning. So much for formal logic. INDUCTION, OR MATERIAL LOGIC (the *epagoge* of Aristotle), signifies properly the drawing of a general law from a sufficient number of particular cases. It is distinguished from pure logic by caring wholly for the *matter*, or facts, or truth of its objects, while the former is occupied entirely with the correctness of the *form* of thought. And here, at the outset, it is necessary to make a distinction, which may be of great use afterwards. There is what is called a *perfect* induction and an *imperfect* one. The perfect one is when the investigator has been able to examine *all* the particular instances on which this law is founded; the imperfect induction, again, forms ninety nine one-hundredths of all inductive reasoning, and amounts at once from the *some* cases in which the law holds to the *all*. Perfect induction was denominated by Bacon *reperitilis*, as it on very few occasions can add anything to what one is already in possession of. Indeed, it is often taken up under the former syllogism. The latter, again, *imperfect* induction, is the peculiar kind of all ordinary scientific induction. And the great canon or principle, which is itself a principle of induction, on which this form of material science rests, is the constancy and uniformity of nature's laws. Or, more articulately expressed, it runs thus—*under the same circumstances, and with the same substances, the same effects always result from the same causes*. Material, or applied logic, to fulfil its aim, must have attained—1, to as true statements as possible respecting the objects with which it deals; 2, it must be able to define those objects with as much clearness and precision as possible; 3, it must be able to indicate the extent of those objects; and, 4, it must exhibit its results in a systematic manner. These preliminary obligations being imposed upon it, it requires, in the second place, to be able to answer the following four leading questions:—1. How are the causes of phenomena to be distinguished among a multitude of other phenomena, all open to observation? 2. How are causes to be discovered which are less open to observation than the effects produced by them? 3. When should an incomplete enumeration of facts be deemed sufficient, and on what principle? 4. How should new laws be expressed and recorded? These questions in their order.—1. How the causes of phenomena are to be distinguished. It must be here observed, respecting causation, what the scholastic writers never forgot, that it is properly all the associated causes—the co-causes, as it is sometimes phrased, that make up what is ordinarily denominated “the cause” of a thing. And every event has more than one cause when strictly analyzed. Yet men, never-

theless, inquire for “the cause” of a phenomenon; and justly enough, for what they want is the most influential agent in the production of the result. It requires no labour beyond “simple enumeration” to enable one to discover such very uniform and regular laws as the recurrence of the tides, and the law that all weighty bodies fall. But it requires a great degree of patient observation and research to discover that the one phenomenon is connected with the moon's influence, and that the other depends on the higher law of gravitation. All men open to the observation of these phenomena had a rude notion of the tides and of falling bodies, but it required a Newton to complete the theory of both the phenomena. The chief rules which regulate the inquiry after causes are the following:—1. While the same effect may sometimes arise from different causes, yet the cause must always be sought among the inevitable co-conditions of the effect. 2. If an effect is not produced under certain circumstances, this either indicates the absence of the cause, or the presence of a counteracting one. 3. The cause is often suggested by an analogy. 4. The cause is often indicated by the variation of degree of the effect. 5. The more forms of the effect that are studied, the greater is the probability of finding out the cause. 6. A suspected cause may be tested by allowing it to operate under less complicated circumstances. 7. Where complications exist, every cause should be noted and registered down to the minutest detail. So much for the answer to the first question. 2. Causes are sometimes discovered which are not obvious, even after careful observation and detailed experiment, by what is called Anticipation. Such was Owen's discovery of the vertebrate character of the skull of the reindeer, which he stumbled over during an excursion to the Hartz mountains. Such, too, was Goethe's discovery of the morphology of plants—that the various parts of a plant are only metamorphosed leaves. The facts of an induction being given, a “Conception,” as it is sometimes called, must step in, in order to afford a provisional support or temporary cause to the phenomena. Again, Conceptions not wholly correct may often serve for a Colligation of facts until a better Colligation is afforded those facts. Thus, the *circular* motion of the heavenly bodies was for a long time only a conception; now it is known they move in elliptical orbits. 3. This third question has in a great measure been answered by the preliminary observations on the laws of nature. As soon as a process of induction has been completed, it then forms the ground for a legitimate induction. Analogy depends upon the principle that the same qualities may be assigned to distinct but similar objects, provided those qualities can be shown to accompany the points of resemblance in those objects, and not their points of difference. Thus, if we remark the analogy between man and a tree, and observe that they both grow gradually to a certain height, after which they both decay, and that both depend for their subsistence on receiving appropriate food, moisture, and air, we have noted those qualities which belong to them in common. But if we proceed further with our analogy—“carry out our analogy,” as the phrase is—we go wrong; for man is not stationary like a tree, neither does he grow up conically, and has no “branching” of leaves. Reasonings involving Chance may likewise be admitted into inductive philosophy, for chance is just the amount of probability with

which we expect one or other out of two or more uncertain events. The laws that govern this department of "probabilities" are various, and cannot be entered upon here. 4. New laws may be expressed—1, by applying fresh definitions to old words; 2, names possessing an explanation of their own may have new ideas attached to them; 3, entirely new names may be invented, but accompanied always with a precise definition; 4, chemistry affords excellent examples of the mode of forming new names. The principles of inductive reasoning are afforded (a) by the senses, (b) by instruments, which mode constitutes properly observation, (c) by the testimony of others, (d) by the aggregate observations of men. No logical principle can be put into practice without the possibility of conscious or unconscious *Error*. Where error is consciously unfolded, it is for the purpose of deceiving others, and is properly a Sophism; where it is unfolded unconsciously, we deceive ourselves and fall into a Paralogism. In either case we commit what logicians denominate *Fallacy*. The causes and occasions of error arise as follows:—1, In the general circumstances which govern the intellectual character of the individual; 2, in the constitution and habits of his powers of thought, feeling, and desire; 3, in the language which he employs; 4, in the nature of the objects upon which he is engaged. Again, the fallacies which men are guilty of are properly of two classes—formal and material. The formal fallacy most frequently occurs in the regular syllogism, and usually arises from the use of having four instead of three terms. Under this genus are comprised three species. The material fallacy is the most frequent. It arises from making a universal conclusion where we are not warranted to do so by the premises, or from a notion which is not in reality a middle term, we infer a conclusion. Some five or six fallacies belong to this genus. The various degrees of belief, according to Aristotle are—1, problematical; 2, assertory; or 3, demonstrable—in other words, are the results of opinion, belief proper, and science. 1. The problematical judgment is neither subjectively nor objectively true; it is neither maintained with complete certainty by the mind, nor can the object about which we judge be truly represented. Meanwhile, it is mere opinion, but it may afterwards become matter of proof, and then this opinion is elevated to demonstrable truth. Every great discovery is at first a problem, or a thing to be proved; and it depends on the sagacity and genius of the investigator whether it is to take its place among the proven theorems of knowledge. The best course of conduct for us under doubtful circumstances, historical records about which there is conflicting testimony, and so forth, are all of this problematical character. 2. In the next place, the assertory kind of knowledge is one of which we are fully persuaded ourselves, but cannot lay down the grounds for our belief so as to compel men to side with us. It is subjectively true, but not objectively certain. We have what is called "a moral persuasion" of it, but cannot exhibit the common grounds of our conviction. 3. Demonstrative knowledge, again, is either subjectively or objectively true, or both. It may either be certain in itself, as an axiom in mathematics, or conditionally certain, as, The sun will rise to-morrow, if the laws of nature maintain their constancy.

LOGOS, *Lo'-gos* is a Greek term, signifying

the word. In theological language, Logos or the Word, is applied to the Son of Man. The Jews used the term *memra*, which corresponds to logos or word, but as synonymous with Jehovah, or as denoting the mere token or symbols of the divine presence. There are some eminent critics, however, who are of opinion that the Targumists employed this word to denote the future Messiah. The term logos, as used by Plato is rather ambiguous. It is uncertain whether by it he means to denote a distinct, intelligent being, or merely the divine attributes of deity. "St. John," says Professor Burton, "was as far as possible from being the first to apply the term logos to Christ. I suppose him to have found it so universally applied, that he did not attempt to stop the current of popular language, but only to keep it to its proper channel, and guard it from extraneous corruptions." He holds that it is one of the peculiar objects of St. John's Gospel to show in what sense the term logos can properly be applied to Christ. Mystical notions regarding the logos were derived, by the Christian Platonists, from the school of Alexandria; and hence, many of the Fathers maintained that the Logos was an attribute of God, and that this attribute became the person of the Son, and was afterwards united to Jesus Christ. The Unitarians consider the word logos to be applied either to God Himself, or to certain of His attributes; as reason or intelligence. The Arians look upon the Logos as an emanation from the Supreme Being, superior to all other created beings, and which supplied the place of a human soul in Christ. Trinitarians regard the term as being specially appropriate to Christ, who is a revelation of God the Father unto men.

LOGOGRAM, *lof-o-gram*.—An extension of the principle of Anagrams, involving the composition of verses and the introduction of synonymous expressions as substitutes for some of the words played upon. (See ANAGRAM.)

LOLLARDS, *lof-lards* (Ger., *lollhardten*), were a class of persons who appeared in Germany and the Netherlands about the beginning of the 14th century. The name is believed to come from the German word *lallen*, or *lollen*, to sing with a low voice, and the termination *hard*, denoting frequency, and not, as some are of opinion, from Walter Lollard, who suffered martyrdom at Cologne in 1322. A number of pious laymen formed themselves into a society at Antwerp, for the purpose of visiting the sick and burying the dead during a season of pestilence, when the clergy deserted their duties. They soon spread to other parts, and succeeded in attracting the attention and love of the great mass of the people. On this account they excited the envy of the clergy, who accused them of holding many heretical opinions. Doubtless, too, they may have held certain opinions at variance with the teaching of the Church of Rome, but there is no shadow of ground for accusing them of holding the extreme views, or of practising the vicious conduct, that has sometimes been attributed to them. The term came afterwards to be applied generally to all who were believed to hold heretical opinions; and hence the followers of Wicliffe were called Lollards.

LONG VACATION is the period during which the High Court of Justice is suspended from the 9th of August till the 2nd of November.

LORD, *lord* (Sax., *hlaford*, *laford*, contracted *lord*).—Primarily denotes a bread-giver, from *hlaf*, bread, and *ford*, to give or afford. In feudal times the lord (*seigneur*) was the grantor or proprietor of the land, who retained the dominion or ultimate property of the fief or fee; and the grantee, who had only the use or possession of the land, was styled the feudatory or vassal. A person who has the fee of a manor, and consequently the homage of his tenants, is called the lord of the manor. The superior lord is styled lord paramount, and his tenants, if they grant a portion of the land to other persons, while they remain tenants in reference to the lord paramount, are lords in reference to their own tenants, and are hence styled mesne or middle lords. Lord is also a mere title of dignity attached to certain official stations, which are sometimes hereditary, but sometimes only official or personal. All who are noble by birth or creation, otherwise called lords of parliament and peers of the realm, are styled lords. The five orders of nobility constitute the lords temporal, distinguished from the prelates of the Church, who constitute the lords spiritual in the House of Lords. (See PARLIAMENT.) Lord is also applied to persons holding certain offices; as the lord chief justice, the lord mayor, &c. It is likewise given by courtesy to the sons of dukes and marquises, and to the eldest sons of earls. In the authorized translation of the Scriptures, it is used, without much discrimination, for all the names applied to God; but when it represents the great name of Jehovah, it is printed in small capitals. In the New Testament, it is applied to Jesus Christ, the term in the original Greek being *kyrios* (owner or master).

LORD ADVOCATE is the principal law officer of the crown in Scotland, analogous to the Attorney-General in England.

LORD KEEPER.—An ancient officer of the crown, who was intrusted with the custody of the great seal, with authority to affix it to public documents. He was created by the mere delivery of the king's great seal into his custody, without writ or patent. The Lord Chancellor is now the keeper of the great seal, and when there is no chancellor it is ordinarily put in commission. (See CHANCELLOR.)

LORD LIEUTENANT OF IRELAND is the chief executive officer of the Irish Government, representing the crown, and hence called the Viceroy. Before the legislative union of the country, and when the means of communication were slow and difficult, the lord lieutenant wielded the powers of the crown almost as completely as the monarch himself could have done during any temporary residence in that country. By degrees, however, this functionary has been stripped of much of his regal independence, and practically he is now little more than the resident official through whom the secretary of state for the home department conducts the government of that country. He is always a nobleman of high rank and commanding station, and maintains an establishment of a regal character, holding courts, levees, and drawing-rooms, and conferring the honour of knighthood. He bears the sword of state as a symbol of his viceregal power. He is at the head of the administration of justice, and has power to pardon criminals or to commute their sentences. His household consists of a private secretary, steward, comp-

troller, chamberlain, gentleman usher, master of the horse, and subordinate officers. He has a fixed yearly salary of £20,000 and two residences, one in Dublin Castle, another in Phoenix Park. In the discharge of his public duties he enjoys the assistance of a privy council, composed of the great officers of the crown in Ireland, and others appointed by the crown. His chief secretary, who may be said to be his prime minister, exercises many of the viceregal functions. He is usually a member of the House of Commons, and chiefly manages the affairs of the Irish Government in London, having for that purpose an establishment of under-secretaries and clerks, both in London and Dublin. Both these high officers resign on the formation of a new ministry.

LORDS LIEUTENANT OF COUNTIES are permanent provincial governors appointed by the crown for life. The lords lieutenant are generally of the principal nobility, and of the best interest in the county. They are at the head of the magistracy, the militia, and the yeomanry, and are the chief local executive authorities. They have the nomination of the entire staff of deputy-lieutenants and of the officers of the militia and volunteer corps, and also for the commission of the peace. The lord lieutenant of a county is also an officer under the lord chancellor, having charge of the records of the county, and appoints the clerk of the peace.

LORD PRIVY SEAL is the fifth great officer of state in England. His office is one of great trust, honour, and antiquity. He derives his title from the fact of his having the custody of the privy seal, which he must not put to any grant without good warrant under the monarch's signet; nor to any warrant if contrary to law and custom, or inconvenient, without first acquainting his sovereign therewith. This seal is used to all charters, grants, and pardons signed by the sovereign before they come to the great seal. The lord privy seal is appointed by letters patent, is a privy councillor by his office, and takes place next after the Lord President of the council, and before all dukes. His salary is £2,000 per annum.

LORD'S DAY, (Lat., *dies dominica*), was the term generally made use of by early Christian writers to distinguish their Sabbath from that of the Jews, as well as from the Sunday of the Pagans. Regarding the institution of this day as one specially set apart for religious worship, we find little information in the New Testament; we are only told of one occasion on which the disciples came together on the first day of the week to break bread, when Paul preached unto them. It is not till the time of Justin Martyr (A.D. 140) that we find a distinct account of its observance; he states that Christians were in the practice of assembling for public worship on the first day of the week, as being that on which the work of creation was commenced, and on which Christ rose from the dead. According to Eusebius, "Christ, by the new covenant, translated and transferred the feast of the Sabbath to the morning of light, and gave, as the symbol of true rest, the saving Lord's day, the first day of the week. On this day we do those things according to the spiritual law, which were decreed for the priests to do on the Sabbath; all things proper to do on the Sabbath we have transferred to the Lord's day." The early Church, for several centuries, kept

both the Jewish Sabbath and the Lord's day, the former being observed as a fast, or season of preparation for the latter. The council of Laodicea, A.D. 365, at length reprobated this practice, and condemned those who abstained from work on the seventh day, "for it was Judaizing; but on the Lord's day men should rest as Christians." (See SABBATH.)

LORDS, HOUSE OF. (See PARLIAMENT.)

LORD'S SUPPER (See EUCHARIST and SACRAMENT.)

LORICA, *lor-i'-ka* (Lat., *lorum*, a thong), a cuirass, or coat of mail, worn by the ancient Greek and Roman soldiers. The basis of the lorica was sometimes a skin, or a piece of strong linen; and the front was frequently ornamented with enriched bronze shoulder-bands.

LOST PROPERTY.—The finder of lost property is generally entitled to keep it until the owner is found; but under some circumstances the retention would be a larceny. If the finder knows the owner, or has ready means of discovering him, then the taking of the property with intent to keep it is a larceny. The finder is not bound to incur expense in advertising for the owner; and if he does so advertise, the owner is under no legal obligation to repay the expense incurred, as he is entitled to claim his property from any person in possession of it.

LOST TRIBES. (See CALITIVITY.)

LOT, *lot* (Sax., *hlot*), is a method of determining an uncertain event by an appeal to the providence of God, frequently alluded to in Scripture. The manner of casting lots is not particularly described. It is the opinion of some that the stones, or marks, which were used in determining the lot were thrown together into the lap or fold of a garment, or into an urn or vase, and that the person holding them shook them violently, so that they should be thoroughly commingled, and prevent all preference by the hand of him that was to draw. "The lot is cast into the lap, but the whole disposing thereof is of the Lord" (Prov. xvi. 33). The choice of the apostle Matthias was by lot; Jonah was discovered by lot as the one who had offended God; and the division of the promised land among the different tribes was expressly commanded to be by lot. The order of the priests and their daily service were also assigned by lot. The use of lots has always been more or less resorted to among nations but little advanced in civilization, and less guided by reason than by superstitious beliefs. The Greeks and Romans were accustomed to divine auguries from lots by having each of them marked with a prophetic verse or other inscription.

LOTTERIES, *lot'-ter-ees* (from *lot*), are games of chance, in which, by payment of a small sum, one has the chance of obtaining a considerable prize. Most European states have had recourse to lotteries as a means of raising a revenue. The earliest English lottery of which we have any record was in 1560, when 40,000 chances were sold at ten shillings each, the prizes consisting chiefly of plate, and the profits going for the repair of certain harbours. Private lotteries soon became very common, and being generally conducted on fraudulent principles, an Act of Parliament was passed early in the reign of Queen Anne, suppressing them "as

public nuisances." In 1664, a loan of a million was raised by the sale of lottery tickets at £10 each, the prizes in which were funded at the rate of 14 per cent. for sixteen years certain; and in 1770 a million and a-half was raised by £10 tickets, each ticket being entitled to an annuity for thirty-two years, the blanks at 11s. per annum, the prizes in sums varying from 25 to £1,000 per annum. From that time up to the year 1824, the passing of a lottery bill was in the programme of every session. Up to about the close of the 18th century the prizes were generally paid in the form of terminable and sometimes of perpetual annuities. Loans were also raised by granting a bonus of lottery tickets to all who subscribed a certain amount. In 1778 an Act was passed obliging every person who kept a lottery-office to take out a yearly license, and to pay £50 for the same. In 1808 a committee of the House of Commons was appointed to inquire "how far the evils attending lotteries had been remedied by the laws respecting the same;" and they reported that "the foundation of the lottery system is so radically vicious, that your committee feel convinced that, under no system of regulations that can be devised, will it be possible for Parliament to adopt it as an efficacious source of revenue, and, at the same time, divest it of all the evils of which it has hitherto proved so baneful a source." At length, in 1823, the last Act that was sanctioned by Parliament for the sale of lottery tickets contained provisions for putting down all private lotteries, and for rendering illegal the sale, in this country, of all tickets in any foreign lottery—a provision which is still extensively evaded. Lotteries for production of art in art unions were legalized by 9 & 10 Vict. c. 48. State lotteries were long carried on by the French government; but they were at length abolished in 1836. In 1878, however, 1,000,000 national lottery tickets of one franc each were sold in Paris to pay for prizes to exhibitors in the great Exhibition and expenses of working-men visitors. The first prize was worth £5,000; the second, £1,000; third and fourth, £2,000 each. Lotteries are still carried on in the Austrian dominions and in several of the smaller German states. A memorable enforcement of the Lotteries Act was the case of Mr. Dethiers, who arranged for a lottery for twelfth cakes to the amount of £1,000, the drawing to be in St. James's Hall, December 27, 1860. He was notified that the penalties would be enforced if he persisted, and he was compelled to abandon the project.

LOVE, *luv* (Sax., *lufian*).—In Ethics, is one of the primary passions of the human mind, and in Theology is the chief of Christian graces. It has been defined to be the internal feeling of goodwill and kindness which one intelligent being bears to another, and the expression of that benevolence in words and acts which gratify and benefit another. In its full and proper sense, the inward emotion and the outward act are united; for neither the doing good nor wishing good to another can, of itself, in strict propriety, be termed love. Reciprocity is almost an essential element of love; all durable love is mutual. Love is also used to denote that affection which becomes the bond of attachment and union between individuals of the different sexes, and makes them feel, in the society of each other, a kind of happiness which they experience nowhere else. "Nuptial love maketh mankind; friendly

love perfecteth it; but wanton love corrupteth and embaseth it."

LOVE, FAMILY OF.—In *Ecclesiastical History*, a sect of religious fanatics that originated in Holland about the middle of the 16th century, and had for their founder a Westphalian named Henry Nicholas. He taught that the essence of religion consisted in the feeling of Divine love; and that it was a matter of perfect indifference what opinions men entertained respecting the Divine nature, provided their hearts burned with Divine love. Dr. Henry More wrote against this sect in his "Explanation of the Mystory of Godliness."

LOVE FEASTS are a kind of religious social meetings held periodically among the Methodists, and to which only members of their church are admitted. They are evidently in imitation of the *agape* or love-feasts of the early Christian Church. (See *AGAPE*.)

LOW CHURCHMEN is a term originally applied to those who disapproved of the schism made in the Church by the non-jurors, or High Churchmen, who refused to acknowledge William III. as their lawful king. It is now commonly applied to those who form the evangelical party in the Church.

LOWER EMPIRE is a term applied to the Roman empire, from the time of the establishment of its seat at Constantinople down to the time of the capture of that city by the Turks. After the division of the Roman dominions, it was known as the Eastern or Byzantine empire, and at a later period as the Greek empire. (See *BYZANTINE EMPIRE*.)

LOW SUNDAY.—A name given to the first Sunday after Easter. It was a lower festival than Easter-day, and some part of the service proper to Easter-day was repeated on that day.

LUCIFER (from *lux*, light; *fero*, I bring) occurs in Isaiah xiv. 12 as a designation of Nebuchadnezzar, king of Babylon, signifying the "morning star," and meaning that he surpassed in glory all other kings. In modern times the name is usually applied to Satan, but there is no Scriptural warrant for the idea, which did not arise till the time of Saint Jerome. It is the name given by Milton to the supreme power of evil.

LUCIFERRIANS, *lu-sif-e-re-anz*.—The name of a religious sect which arose in the 4th century, being founded by Lucifer, bishop of Cagliari, who was banished by the emperor Constantius for having defended the Nicene doctrine of the three persons in the Godhead. The persecutions he had undergone made him bitter and irascible, and his zeal on behalf of orthodox doctrine alienated even Athanasius against him. He was particularly opposed to the Arians. The Luciferians spread mightily for a time in Gaul, Spain, Egypt, &c.; but they disappear in the following century.

LUCRETIUS, POETIC PHILOSOPHY OF, *lu-kre'-she-us*.—Titus Lucretius Carus, a Roman philosophical poet, produced, about 58 B.C., a great didactic poem, *De Rerum Natura*, in six books. "It is designed to develop and illustrate the atomic theory of the universe, to show that there is nothing in the history or condition of the world which requires the creative agency of a supreme power, but that all objects may be formed

by the union of elemental particles, governed from all eternity by certain laws." The fourth book treats of the senses, of sleep, dreams, and love, in a very material style. A modern writer says—"Throughout the work the most abstruse speculations are clearly rendered, and the dryness of the subject and the inherent weakness of the views are relieved by the sublimity of the poetry and by digressions of remarkable power and beauty." Dryden translated or paraphrased some portions, and there have been several modern translations.

LUDDITES, *lud'-ites*, was the name given in England to the rioters who, in 1812, destroyed the machinery in the manufacturing towns. They were so called from an imbecile person named Ludd, who, in a fit of passion, broke some machinery. The outrages continued at intervals until 1818. Several of the rioters were hanged.

LUGGAGE. (See *PASSENGERS*.)

LUKE, GOSPEL OF ST., *luke*, is the third of the four Gospels of the New Testament. The genuineness and authenticity of this Gospel are confirmed by the unanimous testimony of ancient writers. It is repeatedly cited by Justin Martyr; and all admit that, at the time of Irenæus and Tertullian, it was accepted throughout the whole Church in its present form. These testimonies are confirmed by a host of later writers, whose evidence has been collected by Dr. Lardner. Notwithstanding this, there have not been wanting German critics to call in question the authenticity of this Gospel, or particular parts of it. Luke was a physician, probably of Gentile descent, and a frequent companion of the apostle Paul. That this Gospel was specially written for the benefit of the Gentiles is evident, both from its general tenor as well as from its being dedicated to Theophilus, one of his Gentile converts. He thus condescends to many particulars, and notices various points, for the benefit of those who were remote from the scene of action and ignorant of Jewish affairs. Hence, also, he is particularly careful in specifying various circumstances of facts that were highly conducive to the information of strangers, but which the Jews could supply from their own knowledge; on this account, he begins his history with the birth of John the Baptist, and traces Christ's lineage up to Adam, showing that He is the seed of the woman promised for the redemption of the world. He has likewise introduced many things not noticed by the other evangelists, tending to encourage the Gentiles to hearken to the Gospel; as the parables of the publican praying in the temple, the lost piece of silver, and the prodigal son; Christ's visit to Zaccheus, and the pardon of the penitent thief upon the cross. This Gospel is divided by Rosenmüller and others into five distinct parts:—viz., 1, containing the narrative of the birth of Christ, together with all the circumstances that preceded, attended, and followed it (i. ii. 40); 2, comprising the particulars relative to our Saviour's infancy and youth (ii. 41-52); 3, including the preaching of John, and the baptism of Jesus Christ, whose genealogy is annexed (iii.), 4, comprehending the discourses, miracles, and actions of Jesus Christ during the whole of His ministry (iv. i. 50); 5, containing an account of our Saviour's last journey to Jerusalem, with all the circumstances relative to His passion, death, resurrection, and ascension (ix. 51-62; x. xxiv.)

The style of this Gospel is pure, copious, and flowing, and bears a considerable resemblance to that of his great master Paul. From his medical knowledge, Luke has described, with singular accuracy and skill, the various diseases which he had occasion to notice. With regard to the time when this Gospel was written, some difference of opinion exists, but the majority of critics are now agreed in judging it to have been about the year 63 or 64.

LUNACY, *lu'-na-se* (Lat., *luna*, the moon).—"A lunatic," says Blackstone, "is one that hath had understanding, but by disease, grief, or other accident, hath lost the use of his reason; he is, indeed, properly one that hath lucid intervals, sometimes enjoying his senses and sometimes not, and that frequently depending upon the change of the moon." The common belief in the connection between the accessions of madness and the phases of the moon, from which the name is derived, has long since been exploded; and in medical science, the terms insanity and mental alienation have taken the place of lunacy; but in law it is still a common term, and is applied to all persons of unsound mind and incapable of managing their own affairs. Some law writers prefer the phrase *non compos mentis* (Lat., not of sound mind), as a generic appellation to include the various conditions of mental disease, or fatuity; and the English equivalent, of *unsound mind*, is also sometimes employed; but lunacy is still the ordinary term, and may be fitly taken as the title under which to treat of the legal relations of insanity (which, physiologically, has been already treated under INSANITY). Formerly, a distinction was made in law between lunatics and idiots, which produced some important differences in the management of their property; but these having now fallen into disuse, the distinction is of little importance. Since the dissolution of the Court of Wards, the care and custody of idiots and lunatics have been intrusted to the Lord Chancellor. By Act 16 and 17 Vict., c. 70, commonly called the Lunacy Regulation Act of 1853, most of the laws and regulations previously in force regarding lunatics have been consolidated. It authorizes the Lord Chancellor to appoint two sergeants or barristers-at-law, to be called masters in lunacy, to have and execute all the powers, duties, and authorities formerly had and executed by commissioners named in commissions of the nature of writs *de lunatico inquirendo*. The masters conduct their proceedings either separately or together, under the direction of the Chancellor. The Lord Chancellor also appoints three visitors, two medical and one legal, to visit and report upon the condition of every lunatic under the care of the court. The method of proving a person insane is by a petition or information to the Lord Chancellor, who grants a commission in the nature of a writ *de lunatico inquirendo*, to inquire into the state of the person's mind, directed to the "masters in lunacy;" and if the lunatic be found *non compos*, the master usually commits the care of his person, with a suitable allowance for his maintenance, to some friend, who is then called his *committee*. The next heir, however, is seldom permitted to be this committee of the person of the lunatic, as it is his interest that he should die. The care of the estate is also committed to the same, or some other person, who is called the committee of the estate. By the Lunacy Regulation Act of 1862 (25 and 26 Vict.,

c. 86), it is enacted that in every inquiry or commission of lunacy, the question shall be confined to whether or not the person who is the subject of the inquiry is at the time of such inquiry of unsound mind, and incapable of managing himself or his affairs; and no evidence as to any thing done or said by him beyond two years from the time of inquiry shall be receivable. The Lord Chancellor is also empowered to direct land or other property of the lunatic to be sold, and applied for his maintenance, or that of his family, or for carrying on his trade or business. Lunatics are to be visited at least four times a year, and visitors are to report every six months to the Lord Chancellor. Persons of unsound mind may inherit or succeed to land, or personal property, but they cannot be executors or administrators, or make a will, or bind themselves by contract. Though conveyances of insane persons (except during a lucid interval) are, generally speaking, void, yet it is said that feoffments are not absolutely void, but voidable only, on account of the solemnity of livery with which they are accompanied; the chief practical difference between a void and a voidable transaction being that the former is a mere nullity, and therefore incapable of confirmation; but the latter may be either avoided or confirmed *ex post facto*. A person of unsound mind, though afterwards restored to reason, is not allowed to plead his past insanity in order to avoid his own act, it being a maxim in law, in regard to merely voidable transactions, that no man shall be allowed to stultify himself, or plead his own unsoundness of mind in a court of justice. But this maxim does not apply to transactions which are of themselves void. An insane person is competent to purchase, and also to retain what he purchases; but he cannot be compelled to retain it; the transaction (if found to be disadvantageous to him) being liable to subsequent avoidance on account of his insanity. The marriage of a lunatic, except it be solemnized during a lucid interval, is absolutely void. In criminal cases, lunatics are not chargeable for their own acts, if committed when labouring under defect of understanding, not even for treason itself. By the common law, if a man in his sound mind commits a capital offence, and before arraignment for it becomes mad, he ought not to be arraigned for it, because he is not able to plead with that caution that he ought; if, after he has pleaded that, he should become mad, he shall not be tried; for how can he make his defence? If, after he be tried and found guilty, he loses his senses before judgment, judgment shall not be pronounced; and if after judgment he becomes of non sane memory, execution shall be stayed; for, peradventure, says the humanity of the English law, he might have alleged something to stay judgment or execution. By Statute 39 & 40 Geo. III. c. 94, it is enacted that if a person indicted for any offence appear insane, the court may (on his arraignment) order a jury to be impanelled to try his sanity, and if they find him insane, may order him to be kept in custody till the pleasure of the Crown be known; and if upon a trial for treason, murder, or felony, insanity at the time of committing the offence be given in evidence, and the jury acquit on that account, the court may order him to be kept in like manner till the Crown's pleasure be known. It is not, however, every kind or degree of insanity that will exempt a man from responsibility for his act; and in general, a partial unsoundness will form no excuse.

LUNATIC ASYLUMS, *lu'-na-tik*.—Formerly, in England, harmless lunatics, while allowed to wander about the country, were subjected to much hardship and ill-usage; while those that were less tractable were confined in asylums and treated like wild beasts. The first attempt to introduce a milder system of treatment of the insane was made by M. Pinel, at the hospital of Bicêtre, near Paris, in 1792; but notwithstanding the success of this attempt, the practice was long in being introduced in England. The evidence brought before the parliamentary committees in 1815 shows that every species of cruelty was practised against this unfortunate portion of the human race. The keepers were of the lowest and most brutal character, and the severest restraint and most cruel neglect seem to have been the almost uniform practice. From this time improvements were gradually introduced in the treatment of the insane. Chains were removed, and leathern restraints of much milder kinds substituted; more care was given to the warming and clothing of the patients; and the furnishing them with employment was introduced. The credit of declaring the abolition of all mechanical instruments of restraint to be practicable belongs to Mr. Hill, of the Lincoln asylum, and was adopted there in 1837, and is now followed in all the more important asylums of the kingdom. The laws relating to lunatic asylums were consolidated by "The Lunatic Asylum Act, 1853." It enacts that the justices of every county and of every borough not having an asylum for the pauper lunatics thereof, shall take measures to provide one for the same, either separately or in union with one or more counties or boroughs, or with the subscribers to some asylum already established by voluntary subscriptions; and the expenses of such institutions, so far as they are not covered by voluntary contributions, to be defrayed by the county or borough rates, and the management to be vested in a committee of visitors, to be elected yearly by the justices of the county or borough, or partly by the justices and partly by the subscribers. Two visitors at least are to visit every lunatic asylum of which they are visitors, at least once every two months, and annual reports are to be made by committees of visitors to justices at quarter-sessions, &c., and copies to be sent to commissioners in lunacy. Provision is made for having any pauper resident in a parish, and who is deemed to be a lunatic, examined before a justice and a medical officer, and if found to be insane, committed to the asylum. In like manner, insane persons (whether paupers or not) found wandering at large in the county or borough, or not under proper care or control, may be sent to the asylum. It is further enacted that no person, not being a pauper, can be received as insane into an asylum except under a written order of some person by whose direction the lunatic is confined, accompanied by a medical certificate of two physicians or surgeons, who shall have visited him separately, and have no interest in the asylum in which he is to be confined. By 8 & 9 Vict. c. 100, a board of commissioners is appointed, comprising three physicians, and three barristers, with salaries, and five others who act gratuitously. They have the general superintendence and control of all lunatic asylums. Every house for the reception of lunatics must be duly licensed either by the commissioners of lunacy, if in London or the

neighbourhood, or if in the country, by the magistrates at quarter sessions. No additions to, or alterations in, a licensed house can be made without the consent of the commissioners; and no license is to remain in force more than thirteen months. Houses having a hundred or more patients are required to have a resident medical attendant; those having fewer to be visited by a medical attendant at defined periods, according to their size. Act. 25 & 26 Vict. c. 111 (1862) has a number of minute provisions regarding the construction and plans of asylums, the inspection of licensed houses, providing superannuation allowances for officers of asylums, the admission and visitation of pauper lunatics, &c. The number of registered lunatics, idiots, and persons of unsound mind throughout England and Wales, in 1860, was 39,972; in 1880, 71,191. The ratio of the latter is about 28 for every ten thousand of the population. Since the Act was passed for changing lunatic paupers to the Consolidated Fund, it has been the interest of local boards of guardians to declare as many paupers insane as possible, which accounts for much of the increase recorded.

LUPERCALIA, *lu-per-kai'-le-a*.—The name of an ancient Roman festival held in February, corresponding with Valentine's Day, and celebrated in recognition of Lupercus, the god of fecundity, and associated with the memory of Romulus and Remus. In consequence of the excesses indulged in at this festival, Augustus endeavoured to restrain it, and it was finally abolished in 496.

LUTRUM, OR LUSTRATION, *lus'-trum, lus-tru'-shun*.—Among the Romans this name was given to each successive period of five solar years, at the close of which a census of the people was taken, which was followed by a solemn expiatory sacrifice of a sow, a sheep, and a bull. The sacrifice was made under the direction of the censor, and the animals were slain in the Campus Martius, or Field of Mars, near Rome, after having been led three times round the people that had assembled there to witness the ceremony. It was afterwards used to denote any period of five years; a man who had commenced his 36th year being said to have completed his seventh lustrum, and to have entered on the eighth. After the establishment of the Julian calendar, and the adoption of the solar year of 365 days, the old Roman year of 304 days was still retained for religious purposes; and Niebuhr considers the lustrum to mean the periods of time at the conclusion of which the commencement of the Roman civil and religious years again coincided; six religious years of 304 days being just equal to five civil or solar years of 365 days.

LUTHERANISM, *lu'-ther-an-izm*, is the name given to that system of Protestantism adopted by the followers of Luther. The Lutheran Church professes no other rule of faith than the Holy Scriptures. The Confession of Augsburg (see AUGSBURG CONFESSION), with Melancthon's defence of it, the Articles of Smalcand, the Larger and Smaller Catechisms of Luther, and the Formula Concordiæ, are generally received as containing the principal points of doctrine; but these books have no authority but what they derive from Scripture. Luther reduced the number of sacraments to two—Baptism and the Lord's Supper; but he maintained the doctrine of imputation (which see), or consubstantiation, which

forms the main difference between the Lutheran and English Churches. He maintained the mass to be no sacrifice; opposed the adoration of the host, auricular confession, monastic vows, indulgences, purgatory, meritorious works, the worship of images, celibacy of the clergy, &c. There are, however, certain religious rites and institutions of the Romish Church which are regarded by Lutherans as tolerable, and some of them as useful; as the distinguishing vestments of the clergy, the use of wafers in the administration of the Eucharist, the form of exorcism in the celebration of baptism, the private confession of sins, the use of images, of incense, and of lighted tapers in their churches, with a crucifix upon the altar. Some of these, however, are not general, but confined to particular parts. Hence Lutheranism is regarded as more nearly allied to Romanism than any other reformed system of worship. Some of the doctrines which were warmly maintained by Luther are now generally abandoned by his followers; as, for instance, the doctrines of absolute predestination, human impotence, and irresistible grace, which are so distinct from Lutheranism now that they are generally known as Calvinistic doctrines. The Lutherans now maintain, with regard to the Divine decrees, that they respect the salvation or misery of men in consequence of a previous knowledge of their sentiments and characters, and not as free and unconditional, and as founded on the mere will of God. Towards the close of the 17th century, the Lutherans began to entertain a greater liberality of sentiment than they had before adopted; and their teachers now enjoy an unbounded liberty of dissenting from the decisions of those symbols or creeds which were once deemed almost infallible rules of faith and practice, and of declaring their dissent in the manner they deem most expedient. The constitution of the Church is simple, and in every country where it is established the head of the state is acknowledged as the supreme visible ruler of the Church. It is governed by a consistory composed of divines and civilians, frequently appointed by the sovereign himself. The German Lutherans reject episcopacy; but as the Reformation extended, and Sweden and Denmark embraced the Lutheran faith, these countries retained the episcopal form of government, and are governed by bishops and superintendents under the authority of the sovereign. The forms of worship vary in different countries. Every country where Lutheranism prevails has its own liturgy, which is the rule of proceeding in all that relates to external worship and the public exercise of religion. The liturgies used in the different countries agree in all the essential branches of religion, but differ widely on matters of an indifferent nature, regarding which Scripture is silent. Festivals in commemoration of the great events of gospel history were once observed, as well as a few saints' days; but these are now suffered to pass almost unnoticed. Ecclesiastical discipline is almost unknown; and religion itself has long, it must be confessed, been at a low ebb in most of the Lutheran churches. To the Lutheran church belongs the honour of having been the first of Protestant communities in the missionary field. At present Lutheranism is most powerful in Denmark and Sweden. In the Protestant states of Germany and in Holland the Lutheran is, upon the whole, the prevailing faith, though the proportion of Roman Catholics is often great. In France, Russia, Poland, Hungary, there are

also a number of Lutheran churches. The number of members of the Lutheran church throughout the world is estimated at 30,000,000. Various attempts have been made to unite the Lutherans and Calvinists; but with little success. A sort of mechanical union of the two churches was effected in Prussia in 1817, on the basis of a declaration promulgated by a synod convened by royal authority at Berlin. The united church forms what is known as the evangelical church of Prussia, a church in which the Lutheran is not compelled to embrace Calvinism, nor the Calvinist Lutheranism. The two confessions are thus held within the pale of the same church, and not unfrequently preached by collegiate ministers within the same walls.

LUXURY, *lûs'-û-re* (Lat., *luxuria*).—In Political Economy, a word of very indefinite signification, and may be taken in a good or bad sense. "In general," says Hume, "it means great refinement in the gratification of the senses, and any degree of it may be innocent or blameable, according to the age, or country, or condition of the person." The gratification of any of the senses is not of itself a vice, and only becomes so when pursued at the expense of some virtue. In this country there formerly existed a number of penal statutes against luxury. Excess in apparel was legislated against, chiefly in the reigns of Edward III., Edward IV., and Henry VIII., all of which were repealed by 1 Jac. I. c. 25. As to excess in diet, 10 Edward III. stat. 3, ordained that no man should be served at dinner or supper with more than two courses, except upon some great holidays therein specified, in which he might be served with three. This last statute was only expressly repealed by 19 & 20 Vic. c. 64.

LYING-IN HOSPITALS, for the accommodation of women at child-birth, were initiated by Dr. Bartholomew Mosse at Dublin in 1745. Much opposition was expressed, but others have been instituted in London and elsewhere. Experience concerning them is generally unfavourable. There is a strong tendency to infection, from which results a large proportion of puerperal fever. The fatality to in-patients has led to the extension of such institutions to out-patients, that is, attendance upon them at their own homes, including the supply of linen, blankets, and other suitable extras.

LYNCH LAW, *linsh*.—A term applied to the administration of justice at the hands of the populace, which has sometimes prevailed in certain parts of the United States of America. This barbarous system arose in partially-settled districts on account of the imperfect provision made for the due administration of justice, and the difficulty of enforcing the law against offenders. It is said to take its name from one Lynch, a Virginian farmer, who had recourse to this mode of punishing an offender. In such cases, the offender is seized by the populace, or the person against whom he has offended, is summarily tried and sentenced, and the sentence at once carried into execution, being usually to be hanged or put to death.

LYON COURT is the name of an inferior court in Scotland, having special jurisdiction in matters regarding coat-armour and precedence.

LYON KING-AT-ARMS.—The chief heraldic officer of Scotland, and presiding judge in the Lyon Court.

M.

MACCABEES, BOOKS OF, *mak'-a-beez*.

—The name given to certain apocryphal books of the Old Testament, containing principally the details of the struggles of the Jews against the civil and religious tyranny of the Syrian kings in the heroic period of the Maccabees. The books are connected only by their subjects, being by different authors, and of widely unequal literary merit. They are usually divided into four parts or books. The two first in order were declared canonical by the councils of Florence and Trent, and are also contained in the original translation of Luther. The first book of Maccabees contains a history of the Jews from the reign of Antiochus Epiphanes till the death of the Jewish priest Simon, *i.e.*, from 175 to 135 B.C. It may be divided into four parts—viz., 1, from the commencement of the reign of Antiochus Epiphanes till the death of Mattathias (i. ii.); 2, the history of the presidency of Judas Maccabeus (iii. —ix. 22); 3, the government and high priesthood of Jonathan (ix. 23.—xii. 53); 4, history of the high priest Simon (xiii.—xvi). The Greek text of the Septuagint version is the original of all the others; but there is little doubt that it was written originally in Hebrew. Of the author nothing is known; but he must have been a Palestinian Jew, and have lived some time after the events recorded in the book. Though in some instances unsatisfactorily defective and uncritical, and occasionally extravagant, it is upon the whole entitled to credit for general accuracy. The second book of Maccabees is inferior in many respects to the first in simplicity, credibility, naturalness, correctness, &c. It professes to be an abridgment of an earlier historical work by a Jewish writer of Cyrene, named Jason, relating the principal events of Jewish history in the reigns of Seleucus IV., Antiochus Epiphanes, and Antiochus Eupator. It partly goes over the same ground with the first book, but commences ten or twelve years earlier, and embraces in all a period of fifteen years. The precise age, either of the author or his predecessor Jason, is unknown. The two letters with which the book begins are generally regarded as spurious, and the other parts abound with inaccuracies, and even self-contradictions. The most interesting feature in the second book is its marked religious character, by which it is clearly distinguished from the first book, which in its religious aspect is more remarkable negatively than positively. Indeed, the second book is to be regarded as a series of special incidents illustrating the providential interference of God on behalf of His people. The third book of Maccabees is prior in time to the first and second, and, indeed, does not touch on the time of the Maccabean heroes. It refers chiefly to the actions of Ptolemy Philopator, and special references of Jehovah to protect the Jewish captives. The fourth book of Maccabees is generally supposed, but on very insufficient grounds, to be the same with the "Supremacy of Reason," attributed to Josephus by Jerome, Eusebius, and others. It contains an ascetic treatise on the dominion of right reason over the passions, as illustrated by the history of the martyrdom of Eleazar, the seven brothers, and their mother,

being an inflated amplification of that history as given in 2 Macc. vi. vii. The author makes many historical blunders, and the whole manner and diction disprove it to be the work of Josephus. Nothing is known of its author, and it is believed not to be earlier than the 2nd century of our era. The fifth book of Maccabees is now extant only in the Arabic. It comprises a history of Jewish affairs from the attempt on the treasury at Jerusalem by Heliodorus, and brings it down to the extermination of the house of the Maccabees by Herod the Great. Only the first two books of Maccabees are printed in the Apocrypha of King James's version.

MACE.—An ornamental form of the old weapon is used as an ensign of authority borne before magistrates; of this kind is the mace placed before the Speaker of the House of Commons whilst that officer presides at the sittings of the House. In a "committee of the whole house," or when any other member presides in the place of the Speaker, the mace is laid under the table. When Cromwell dissolved the Long Parliament, he stigmatized the mace as "a bauble," and ordered it to be "taken away." The old mace of the House of Commons was broken up, melted, and sold by order of the House, August 9th, 1649. A highly ornamented mace is carried before the Lord Mayor of London on ceremonial occasions. In the Scotch law courts, the ushers are known as "macers."

MACHIAVELLIANISM, *mak'-e-a-vil'-le-m-i-zm*, is a term applied to a system of politics, after Nicolo Machiavelli, a native of Florence (1469—1527). The obnoxious principles are set forth more particularly in a work of his called "Il Principe." (See PRINCE, THE.)

MADHAVA, *mad'-hava*. In Hindoo mythology, one of the appellations of the god Vishnu.

MADHOUSE. (See LUNATIC ASYLUM.)

MADNESS. (See LUNACY, INSANITY.)

MAGDALEN ASYLUMS, *maf'-a-le-n*, is the name given to certain institutions which have been established in some of our larger towns, to afford a retreat to penitent prostitutes, and to enable them to forsake their evil mode of life. A society for this object was established in London in 1758, principally by the exertions of Dr. Dodd. The name is taken from Mary Magdalene, or Mary Magdala, one of the faithful women who followed Jesus to the cross, placed spices in the sepulchre, and to whom the Saviour first revealed Himself after His resurrection. By a most unfounded popular notion, this excellent woman has been identified with the "woman who was a sinner," who washed the feet of Jesus, and accepted as a representative of fallen women. By far the greater number of those who have been protected in such asylums have subsequently continued respectable and correct in their behaviour. In the asylum they are employed in various kinds of work, and no one who has conducted herself with propriety in the house is allowed to leave it unprovided for.

MAGDALENS AND MAGDALENTES.—Communities of nuns established at various periods, consisting chiefly of penitent women who had led unchaste lives.

MAGI, ma'ji.—The name given to the caste of priests among the ancient Medes and Persians. The magi formed one of the six tribes into which the Medes were originally divided, and on the downfall of the Median empire they continued to retain a great degree of power and authority with the conquerors, being the recognized ministers of the national religion. The great reformer of their religion was Zoroaster or Lerdusht (about 550 B.C.). They were so celebrated for their enchantments that they have given name to the art of magic or enchantment. They were also learned as astrologers, and their name was applied to any one celebrated for wisdom; hence the wise men of the East who came to see Jesus are simply called magi. (See **QUEBRES** and **P'ARSES**.) At the height of their influence there were three classes, *herbets* or disciples; *mobeds* or masters; and *destur mobeds* or complete masters. The initiative ceremonies to which they were subjected were of the most awful and mysterious kind. Their influence gradually diminished, and may be said to have been extinguished by the spread of Mohammedanism.

MAGISTRATE, maj'-is-trait (Lat., *magistratus*).—A public civil officer vested with the executive government, or some branch of it. In a general sense, the term applies to all officials invested with authority to administer the law; but in popular language, it is limited to justices of the peace. Stipendiary magistrates are those appointed to important districts, as the metropolises and other large towns, and paid salaries. They are all barristers. Unpaid magistrates in country districts are generally selected from the gentry of the neighbourhood.

MAGNA CHARTA, mag'-na kar'-ta (Lat., the great charter).—In the constitutional history of England, the "Great Charter of Liberties," which was extorted from King John in 1215. This charter is usually regarded as the constitutional basis of English liberties; but in many of its provisions it seems only to have been a declaration of the rights which had been enjoyed in England before the Conquest. A conference was held at Runnymede, on the Thames, between Staines and Windsor, on the 15th of June, 1215, and after a long discussion the Magna Charta was signed. To secure the execution of the charter, John was compelled to surrender the city and tower of London, to be held by the barons till August 15, or until he had completely executed the charter. Further, the barons chose twenty-five of their number to be guardians of the liberties of the realm, with power to make war upon the king if he should violate the charter. A copy of the *Magna Charta* was sent to every cathedral, and it was ordered that it should be read publicly twice a year. The most accurate and complete copy is that preserved at Lincoln; and a fac-simile of it has been made and preserved in the Record Office. A copy in the British Museum has been much damaged by fire.

Leading Provisions of the Charter.—The Magna Charta redressed many grievances incident to feudal tenures; prohibited unlawful amercements, distresses, or punishments, and restrained the royal prerogative of purveyance and pre-emption; it regulated the forfeiture of lands; established the testamentary power of the subject over part of his personal estate; laid

down the law of dower; enjoined a uniformity of weights and measures; gave new encouragement to commerce; forbade the alienation of lands in mortmain; guarded against delays and denials of justice; fixed the Court of Common Pleas at Westminster, and brought the trial of issues within the reach of all freemen by means of assizes and circuits; confirmed and established the liberties of the city of London, and other cities, boroughs, towns, and ports of the kingdom; and protected every individual of the nation in the enjoyment of his life, liberty, and property, unless declared to be forfeited by the judgment of his peers or the law of the land. More particularly, it declares that "the Church of England shall be free, and have her whole rights and her liberties inviolable;" that "neither we nor our bailiffs shall seize any land or rent for any debt so long as the chattels of the debtor are sufficient to pay the debt; nor shall the sureties of the debtor be distrained so long as the principal debtor is sufficient for the payment of the debt;" that "no scutage or aid shall be imposed in our kingdom unless by the general council of our kingdom, except for ransoming our person, making our eldest son a knight, and once for marrying our eldest daughter, and for these there shall be paid a reasonable aid;" "a freeman shall not be amerced for a small fault; but after the manner of the fault, and for a great crime according to the heinousness of it, saving to him his contentment (i.e. the means of his livelihood; as the tools of a mechanic, or the like), and after the same manner a merchant, saving to him his merchandise; and a villein shall be amerced after the same manner, saving to him his wages (his plough, waggon, &c.); and none of these aforesaid amercements shall be assessed but by the oath of honest men in the neighbourhood;" "no freeman shall be taken, or imprisoned, or disseised, or outlawed, or banished, or anyways destroyed; nor will we pass upon him, nor will we send upon him, unless by the lawful judgment of his peers or by the law of the land; we will sell to no man, we will not deny to any man, either justice or right;" "all merchants shall have safe and secure conduct to go out of and to come into England, and to stay there and to pass, as well by land as by water, for buying and selling, by the ancient and allowed customs, without any evil tolls, except in time of war, or when they are of any nation at war with us;" "it shall be lawful for the time to come for any one to go out of our kingdom and to return safely and securely by land or by water, saving his allegiance to us;" "we will not make any justices, constables, sheriffs, or bailiffs, but of such as know the law of the realm and mean duly to observe it;" "if any one has been dispossessed or deprived by us without the legal judgment of his peers, of his lands, castles, liberties, or right, we will forthwith restore them to him, and if any dispute arise upon this head, let the matter be decided by the five-and-twenty barons hereafter mentioned for the preservation of the peace."

MAGNIFICAT, mag-nif'-i-ka-t (Lat., "doth magnify").—The name given to a musical setting of the "song of the Virgin Mary" (Luke i. 46-55), in the evening services of the Roman Catholic, Lutheran, and Anglican churches. In Roman Catholic churches the music by Palestrina (a peculiarly sublime composition) is almost invariably adopted; but in the Church of England service other music, in some instances by modern composers, is sung.

MAHASANCHUKA, ma-ha-san'-yu-ka.—One of two divisions which arose at an early period among the Buddhists; the other division being known as Sthavira. Many sects, differing in slight particulars of observation, followed this disruption.

MAHOMETANISM. (See **MOHAMMEDANISM**.)

MAIDEN, maid'-en.—The name given in Scotland to an instrument formerly used in beheading criminals, resembling in its construction the guillotine of the French. (See **GUILLOTINE**.)

MAIDS OF HONOUR. (*See HONOUR, MAIDS OF.*)

MAIL.—A rent or tribute. (*See BLACK MAIL.*)

MAIM, OR MAYHEM, *maim, mai'-hem* (Lat., *mayhemum*).—In Law, this is defined to be "the violently depriving another of such of his members as may render him the less able in fighting, either to defend himself or to annoy his adversary." Hence the cutting off or disabling, or weakening a foot, a hand, or a finger, the striking out an eye or a foretooth, are mayhems; but the cutting off an ear or nose, or the like, are not held to be mayhems, because they do not weaken a man, but only disfigure him. The distinction, however, has, by statutory alterations, become of little importance. By the ancient law of England mayhem was punished by inflicting upon the offender the same injury which he had caused to the person maimed. Afterwards, the offence was only punishable by fine and imprisonment. The previous Acts bearing upon this subject were repealed by Stat. 1 Vict. c. 85, which enacts that the stabbing, cutting, or wounding, or causing bodily injury to any person, dangerous to life, with intent to commit murder, is felony, and punishable with death; the attempting, by any means, to maim, disfigure, or disable any person, or to do him some bodily harm, or with intent to resist or prevent the apprehension or detainment of any one, is punishable by transportation for life, or not less than fifteen years (now penal servitude), or by imprisonment not exceeding three years. By 9 & 10 Vict. c. 25, any mayhem occasioned by maliciously causing gunpowder or other substance to explode, or the causing to be taken by any person any dangerous thing, or the casting at or applying to any person any corrosive fluid or dangerous substance, with intent to maim, is a felony, and punishable with transportation for life, or imprisonment for three years. Besides these proceedings, taken in name of the crown on behalf of public justice, the party injured may recover compensation in the shape of damages in an action of trespass. Maiming cattle is classed under the head of malicious injuries to property.

MAINOUR, OR MANOUR, *main'-oor, mai'-oor* (Fr., *manier*, to handle).—A law term denoting the thing taken or carried away by a thief; thus, to be taken with the mainour is to be taken with the thing stolen about him. Formerly, by the common law, a thief taken with the mainour might be brought into court, arraigned, and tried without indictment.

MAINPRIZE, *main'-prize* (Fr., *main*, the hand, and *pris*, taken).—In Law, the taking or receiving of a person into friendly custody, who might otherwise be committed to prison, upon security given that he shall be forthcoming at a time and place assigned. The practice is now obsolete. (*See BAIL.*)

MAINTENANCE, *main'-ten-ans* (Lat., *manutentia*).—In Law, is the unlawful taking in hand, or upholding of any cause or person—the officious intermeddling in a suit that in no way belongs to one, by maintaining or assisting either party with money, or otherwise, to prosecute or defend it. By the common law, persons guilty of maintenance may be prosecuted by indictment, and be fined and imprisoned, or be compelled to make satisfaction, by action, &c.; but prosecu-

tions for maintenance are now rarely instituted. Where more than one person was implicated in this offence, they could be indicted for a conspiracy.

MAINTENANCE, CAP OF. (*See CAP OF MAINTENANCE.*)

MAJESTY, *maj'-es-te* (Lat., *majestas*).—A title of the highest honour, derived from the Romans, by whom it was first used to designate the supreme power and dignity of the people collectively (*majestas populi Romani*). The majestas was also ascribed to the highest chosen representatives of the people, as dictators, consuls, and the senate. On the overthrow of the republic, this title and dignity was assumed by the Roman emperors, and after them it was adopted by the emperors of the West. The attribute of majesty was not given to kings till a much later period. The courtiers introduced the title in France under Henry II., and in England it was first adopted by Henry VIII. It is now generally borne by all emperors and kings of Europe, except the sultan of Turkey, who is styled Highness. The official title of the emperor of Austria is Imperial-Royal Majesty (*kaiserlich-königlich majestat*). On the continent of Europe, majesty is used also to denote the royal dignity and privileges derived therefrom, even in the case of princes who have not personally the title; and it has sometimes also been retained in the case of abdicated monarchs. The pope conferred the title of Apostolic Majesty on Stephen, the first king of Hungary. At a later period, the papal see conferred the title of Catholic Majesty on the kings of Spain, of Most Christian Majesty on the kings of France, and of Most Faithful Majesty on the kings of Portugal. The term *majestatsbrief*, "charter of majesty" is applied to the act by which the emperor Rudolf II. (11th June, 1609) granted free exercise of their religion to the Protestants of Bohemia; the abolition of which act by the emperor Matthias, in 1618, was one of the principal causes of the Thirty Years' War, and of the intellectual debasement which is still manifest in that fair country. Violations of the majesty of the people were termed by the Romans *crimina lesæ majestatis*, a term also applied to violations of monarchical dignity or treason.

MAJOR is a term applied to the first proposition of a regular syllogism, because it has a more extensive sense than the minor proposition. (*See LOGIC.*)

In the Army, a major is the second field officer in a battalion of infantry or a regiment of cavalry, ranking next to the lieutenant-colonel and commanding in his absence. The third class of general officers are styled major generals; and the superior class of non-commissioned officers are sergeant-majors. The principal drummer is known as the drum-major.

MAJOR DOMUS, *maj'-jor do'-mus* (Fr., *maire du palais*).—In the Frankish kingdom, under the Merovingian monarchs, this was the title of the highest officer of court and state. The major domus was originally the superintendent of the royal domains; and from the influence and power thus acquired, together with the weakness of the monarchs, the holders of the office rose to the possession of almost supreme power, and play an important part in the history of the period. At length Pepin, who held this office, made himself king. The term *major domo* is frequently used to signify a steward or master of the household.

MAJORAT, *ma'-jor-a*.—A term used on the continent of Europe to denote, in its widest sense, the order of succession, which is determined by age and the right of preference, which hence belongs to the oldest. There are three kinds of majorats: 1. Primogeniture, or the right of the first-born, by which the eldest in the eldest line always succeeds to an inheritance. This law regulates the succession to the throne in almost all the European states. 2. Majorat, in the stricter sense, which, among relatives of the same rank, gives the inheritance to the eldest. 3. Seniority, which, without regard to the nearness of relationship, always selects the eldest in the family.

MAJORITY, *ma'-jor'-e-ty* (Fr., *majorité*).—A term used to designate the greater number of persons constituting any body or corporation, by the opinions of whom their acts are generally determined; as, a majority of the House of Commons. (See MINORITY.)

MAJORITY.—In law, the age at which a person is entitled to manage his or her own affairs. In the United Kingdom this age is 21. (See INFANT.)

MALACHI, BOOK OF, *mal'-a-ki*.—The last of the canonical Books of the Old Testament. The name denotes "angel or messenger of Jehovah." Some commentators think that the word is not a proper name, but only an appellation; and that view appears to have been held by the writers of the Septuagint. Nothing is known definitely concerning the author. That Malachi flourished after the time of Zechariah is evident from the fact that he is not mentioned along with him in the book of Ezra; and, from the contents of the book itself, he is judged to have been contemporary with Nehemiah, and therefore to have lived from about B.C. 420. The book is a connected prophetic discourse respecting the relation of Jehovah to His people; and contains severe censures of the priests and people, and prophecies of the appearance of John the Baptist and the Messiah. The language of this book wants the fire and force of the earlier prophets. The authenticity of it is established by various allusions to it in the New Testament.

MALA FIDES, *mal'-la fi-des* (Lat.).—In law, bad faith, in opposition to *bona fides*, or good faith. Questions of bad faith must be referred to a jury.

MALA IN SE, *mal'-la in se* (Lat.).—In law, applied to wrongs of themselves: as murder, robbery, perjury, &c. *Mala prohibita* are wrongs which are not wrongs of themselves, but which are prohibited by human laws: as treason, forgery, &c.

MALA PRAXIS, *mal'-la prak'-sis* (Lat.).—In law, denotes bad or unskilful practice. If the health of an individual be injured by the unskilful or negligent conduct of a surgeon, or apothecary, or general practitioner, an action for compensation may be sustained.

MALEDICTION, *mal-e-dik'-shun* (Lat., *malus*, bad, *dictus*, said).—A curse which was anciently annexed to donations of lands, &c., to churches and religious houses, imprecating the most direful punishments on those who should infringe them.

MALICE, *mal'-is* (Lat., *malitia*).—In Ethics

and Law, a formed design of doing mischief to another. In its common acceptation, it implies a desire of revenge, a settled anger against a particular person; but in its legal sense, it implies little, if anything, more than merely without just cause or excuse. In murder, it is malice which makes the crime, and the words *ex malitia pre-cogitata* (of malice aforethought, or malice pre-pense) are necessary to an indictment of murder. Previous to 7 & 8 Geo. IV. c. 30, an Act for consolidating and amending the laws in England relative to malicious injuries to property, it was necessary in such cases to prove express malice in the offender towards the owner, which frequently rendered it difficult to convict the party. This Statute, however, contains an express enactment that its provisions shall equally apply and be enforced, whether the offence shall be committed from malice conceived against the owner of the property in respect of which it shall be committed, or otherwise.

MALTHUSIAN DOCTRINE, *mal thu'-ze-an*.—The name commonly given to a doctrine advanced by the Rev. T. R. Malthus, which has given rise to much discussion among political economists. The doctrine, in brief, is that there is a tendency in population to increase faster than the means of subsistence; hence the pressure of population against subsistence may be expected to become greater and greater in each successive generation (unless new and extraordinary remedies are resorted to), and thus to produce a progressive diminution of human welfare. "There are few states," the author says, "in which there is not a constant effort in the population to increase beyond the means of subsistence. This constant effort constantly tends to subject the lower classes of society to distress, and to prevent any great permanent amelioration of their condition." (See POPULATION.)

MAMELUKES, OR MEMLOOKS, *mam'-a-look, mem'-look* (Arab., *memalik*, a slave).—The name given to a body of soldiery who ruled Egypt for several centuries. They were introduced into that country by the sultan Malek Saleh about the middle of the 13th century, being Asiatic youths, chiefly from the Caucasian region, purchased as slaves from Gengis Khan, whose captives they were. These were trained to military exercises, and formed into a corps of 12,000 men, called Memlooks. They soon exhibited a spirit of insubordination, and, in 1251, assassinated the sultan Turan Shah, successor to Malek Saleh, and raised Eybek, one of their own number, to the throne. A line of sultans, known as the Bahree, or Turkish dynasty, now followed, all of whom were raised to power by the Mamelukes, and many of them deposed and slain. This dynasty conquered Syria, took Damascus, and put an end to the domination of the Abbassid caliphs. In 1382 the Bahree dynasty was overthrown by a new band of Mamelukes called Borgheses, from a word signifying a castle, because they were first employed in garrisoning the fortresses of Egypt. They made their commander, Doulet-el-Memlook, sultan; and this dynasty continued to rule the country till 1517, when they were subdued by the Ottoman Turks, and Egypt became a dependency of Constantinople. The Turkish sultan, however, did not deprive the Mamelukes of all power, but maintained them as a military aristocracy in the country, and they attained an immense influence. This state of things continued till Bonaparte's

invasion of the country in 1798. At the battle of the Pyramids, July 21st, 1798, the Mamelukes mustered in great force and attacked the French with desperate courage, but were repulsed with terrible slaughter, their broken and dispirited remains, about 2,500 in number, fleeing into Upper Egypt and Nubia. After the French were driven out of the country, the Mamelukes regained some degree of power; but the Turks, dreading their return to their former position, did what they could to oppose them, and on more than one occasion had recourse to treacherous massacres of them. The final blow, which utterly destroyed them as a military or political body, was struck by the pasha Mehemet Ali, who, on March 1st, 1811, invited their chiefs and principal men, to the number of 470, to a conference in the citadel of Cairo, and then, closing the gates, ordered his Albanian soldiers to fire upon them. Only one escaped, by leaping his horse from the ramparts, and alighting unhurt, though the horse was killed by the fall. Immediately after, a general massacre of the Mamelukes was ordered in every province; a few escaped into Dongola, where they subsequently dispersed themselves; and as a body they are now extinct.

MAN BOTE, in the laws of the Anglo-Saxons, denoted the compensation to be paid for killing a man. In King Ina's laws, certain rates are fixed for the expiation of this crime, according to the quality of the person slain.

MANASSES, PRAYER OF, *man-as-ses*.—An apocryphal composition received as canonical by the Greek Church. (See *ΑΠΟΚΡΥΦΑ*.)

MANCIPATE, *man-si-pat* (Lat., *mancipatio*, from *mancipio*, I enslave or bind—*v. e.*, *manu capere*, take with the hand). Among the ancient Romans, a species of sale by which the ownership of a person or of certain things could be transferred from one to another. It was effected in the presence of not less than five witnesses. The purchaser, taking hold of the thing, said, "I affirm that this man is my property according to the Quirital law, and he is purchased by me with this piece of money and brazen scales." He then struck the scales with the piece of money, and gave it to the seller as the price.

MANDAMUS, *man-dai-mus* (Lat., we command).—In Law, a writ issuing in the Queen's name from the Queen's Bench Division of the High Court of Justice, and directed to any person, corporation, or inferior court of judicature, commanding them to do some particular thing therein specified, which appertains to their office and duty. It is a high prerogative writ of a most extensive remedial character, and issues in all cases where the person applying for it has a legal right to have anything done, and no other specific means of compelling its performance. It may also be issued in some cases where the injured party has another but more tedious mode of redress, as in the case of admission or restitution to an office.

MANDATE, *man-dai* (Lat., *man-latum*).—In Law, denotes generally a judicial command, charge, or commission. More particularly it denotes a bailment (delivery) of goods to a person who is to do something with or about the things bailed, entirely without compensation. The person delivering the goods is called *mandator*, the

person receiving them and undertaking the service is styled *mandatory*. The essential element in the contract lies in the service rendered not being to be paid for. Hence, as the act or service is wholly for the benefit of the mandator, it follows that a mandatory is only responsible for the loss of, or injury done to, a thing when it is caused by his gross negligence. The mandator may recall the thing delivered at any time; but if the mandatory has rendered the service in part, and will suffer damage if it be not completed, the mandator cannot recede it without indemnity to the mandatory.

In Canon Law, a mandate is a rescript of the Pope, commanding an ordinary collator to put the person therein named in possession of the first vacant benefice in his collation.

MANDATS, *man-da*.—The name given to a species of paper money issued by the French government in March, 1796, to supply the place of the assignats, when they had lost credit and suffered an enormous depreciation. They were founded, like the assignats, on the credit derived from the confiscated property; but with this essential difference, that specific pieces of property, enumerated in a table, were pledged for the redemption of the bills, whilst the assignats furnished only a general claim. (See *ASSIGNATS*.)

MANES, *mai-nec*.—Among the Romans was the name given to the souls of the dead. The etymology of the word is doubtful, but is generally derived from an ancient word *manus*, signifying good. (See *LARUS*.)

MANICHEANS OR MANI, *man-i-ke-anz*, *mai-ni*.—A religious sect founded towards the close of the 3rd century, by one Mani, or Manes. He was a Persian, educated among the Magi, and his system was an attempt to blend Magism and Buddhism with Christianity. The system is based upon dualism, there being supposed to be two distinct opposing principles from which all things proceed; the former being presided over by a good being—God; the latter by an evil being—Hyle. God, the father of light, is described as being all splendour, truth, holiness, goodness, and happiness, and surrounded by twelve aeons, or worlds of light, which, as a heavenly zodiac, preside over the great year of the world. These, however, are not emanations from God, but God is one with the kingdom of light, the whole forming one substance. So far there is some resemblance to the doctrines of the older Gnosticism. (See *GNOSTICISM*.) Opposed to the kingdom of light is that of darkness, which is divided into five regions, and in which the prince of darkness sustains the same relation to his inferiors as the god of light occupies in his kingdom. By an inroad made by the powers of darkness into the kingdom of light, the primitive man, the first-born of God, was overthrown and imprisoned. He was subsequently delivered; but a portion of the light remained imprisoned in the darkness. God then brought into existence the present universe, that it might be a receptacle for this lost light; and two new heavenly powers, Christ and the Holy Ghost, proceeded from God to redeem the detained light. The man Adam is then formed by the prince of darkness after the image of the primitive man, comprising, as in a microcosm, the clearest light with the grossest darkness. From him proceeded the human race, each member of which presents a mixture of the two ele-

ments, light and darkness; and in each succeeding generation the power of the light is weakened by the ascendancy of the darkness. To break this dominion, Christ Himself appeared in order to reveal again the lost truth; but His life upon earth, His sufferings and death, were a mere semblance, for the essentially pure light of His being could not unite itself to gross matter. The statements of the New Testament were only partially true; the full truth regarding Christ was first revealed by the Paraclete (Manes). They denied the genuineness of the Gospels and Acts of the Apostles; the Epistles were regarded as interpolated; while many apocryphal writings, especially the Acts of Thomas, were made use of by them. The work begun by Christ required for its completion Manes, the Paraclete promised by Christ, to lead men to a knowledge of the complete truth, by revealing the secret relations of the universe, and securing the means of human freedom. The redemption of man they held to consist in a knowledge of the revelations made by Christ and Manes, respecting the character of the two empires, the soul and its relation to the body, and a corresponding mode of life. Their system of ethics was of a severely ascetic nature, based on the conviction of the intrinsic evil of the body from the fetters of which their great aim was to set the soul free. For their higher class of members, the *electi* or *perfecti*, a very rigorous system of asceticism was prescribed. The *audibores*, or lower class of members, were permitted to eat meat, to marry, to occupy themselves with material and industrial pursuits, and to fill public offices, but were also bound to supply the elect with all the necessities of life. Manes sent out twelve apostles, and these were afterwards represented in the church by twelve *magistri*, with a thirteenth invisible one, doubtless Manes himself, at their head. After these were 72 bishops, who had under them presbyters, deacons, evangelists, and the other *clerici*. They had no temples, and their worship consisted chiefly of hymns and prayers. Baptism and the Lord's Supper were celebrated as mysteries in which the elect were allowed to participate. After the death of Manes, his adherents in Persia were subjected to a long persecution, and many of them are said to have fled to Hindostan. In Syria, Egypt, Palestine, and other countries, they early made their appearance, and the northern coast of Africa became one of their principal seats. Under Constantine they enjoyed toleration; but the succeeding Christian emperors issued severe decrees against them. Although the name was not retained, many individual sects held their doctrines, and congregations were numerous, and had many able leaders. In Italy, and especially at Rome, they were very numerous, and maintained intimate relations with the congregations in other countries. Pope Leo I. took severe measures against them, Valentinian III. punished them with exile, and Justinian ordered them all to be put to death. By these persecutions the sects gradually became extinct, although traces of the doctrine are found in later centuries in Gaul and Spain. Augustine was for nine years a member of the Manichean body, but left them, not finding among them the thoroughness of learning nor the purity of character that he had expected; and he became afterwards their most zealous opponent.

MANNA, *man'-na*.—There is considerable

difference of opinion as to the nature of the manna supplied to the Israelites in their wanderings, as recorded in the book of Genesis. Some writers suppose it to have been an exudation from the tamarisk tree; or a lichen, which is torn from its roots by high winds and carried great distances, imbuing a considerable amount of moisture from the clouds, and then falling like rain. Some commentators, however, get over all difficulties as to origin, by supposing that the scriptural manna was a special and miraculous creation.

MANOR, *man'-or* (Lat., *manerium*, from *maneo*, I remain).—A piece of territory held by a lord or great personage, who occupied a part of it, as much as was necessary for the use of his own immediate family, and granted or leased the remainder to tenants for stipulated rents or services. Manors were formerly called baronies, and every lord or baron was empowered to hold a domestic court, called the court-baron, for redressing misdemeanours and nuisances within the manor, and for settling disputes among the tenants. This court is an inseparable ingredient of every manor, and if the number of suitors should so fall as not to leave sufficient to make a jury or homage, the manor itself is lost. As to the origin of manors, we are told that anciently a certain compass of ground was granted by the king to some man of worth, for him and his heirs to dwell upon and to exercise some jurisdiction, more or less, as he thought good to grant within that circuit, but performing such services and paying such yearly rent as by this grant was acquired. These superior lords afterwards parcelled out their lands to others, receiving rent and services for them, and were the lords paramount over these smaller manors. These smaller manors came to be subdivided in like manner, to the detriment of the superior lords; till, by the Statute of Westminster 3 (18 Edw. I. c. 1), it was directed that upon all sales or forfeitures of land, the feoffee shall hold the same, not of his immediate feoffor, but of the chief lord of the fee of whom the feoffor himself held it. In the present day, a manor signifies rather the jurisdiction and royalty incorporeal than the land or site; for a man may have a manor in gross, i. e., the right and interest of a court-baron, and the perquisites thereto belonging, without any part of the land.

MANSE, *manse* (Lat., *mansa* or *mansum*).—In Scotland, this term was originally applied to a portion of ground in a parish set apart for the clergyman; but now it is used to designate his house, the ground to which he is entitled being called his glebe or glebe-land.

MANSLAUGHTER, *man slaw'-ter*, is the unlawful killing of another, without malice, express or implied. (See HOMICIDE and MURDER.)

MANSTEALING. (See KIDNAPPING.)

MAN-TRAPS, *man'-traps*.—Engines to catch trespassers, now unlawful, unless set in a dwelling-house for defence, between sunset and sunrise.

MANU, CODE OF. (See *MENV*.)

MANUAL, *man'-u-al* (Lat., *manuālis*, from *manus*, the hand).—A term applied to something that may be employed or used by the hand.

MANUAL, *man'-u-al*.—The name of a

service-book used in the Church of Rome, and containing the rites, directions to the priests, and prayers used in the administration of the sacraments, the form of blessing holy water, and the service used in processions.

MANUCAPTIO, *man-u kap'-she o* (Lat., from *manus*, hand; and *capio*, I take).—In Law, a writ that lay for a man taken on suspicion of felony, &c., who cannot be admitted to bail by the sheriff or others having power to let to mainprise.

MANUDUCTOR, *man-'u-duk'-tor*.—An ancient officer of the Church, who gave the signal for the choisters to sing, marked the measure, beat time, and regulated the music by the motion of his hand.

MANUMISSION, *man-u-mish'-un* (Lat., *manus* and *mitti*).—The form by which, among the ancient Romans, slaves were released from their condition; so called because they were sent, as it were, out of the hand or power of their master. There were three ways in which slaves were manumitted—by *vindicta*, census, or will. The first of these was the most ancient, and in it the slave was brought before the magistrate, who laid his wand, *vindicta*, upon his head and declared him to be free. The manumission by census was effected by the name of the slave, with his master's consent, being inserted in the census or public register of the citizens. By will a slave could be made free conditionally or unconditionally, or free and an heir of the testator. By manumission the relationship of patron and freedman was established between the parties. There have been various forms of manumission in England. In the time, of William I., villains were manumitted by the master delivering them by the right hand to the viscount in full court, showing them the door, giving them a lance and a sword, and proclaiming them free. Others were manumitted by charter. There was also an implied manumission, as when the lord made an obligation for payment of money to the bondman at a certain day, or sued him where he might enter without suit, &c.

MARABOUT, *mar'-a-boot* (Arab., *marab'outh*, or *marabeth*, saint or hermit).—A class of religious devotees among the Mohammedans of the Barbary States. They frequently affect to work miracles, and some of them are held in high estimation; but most of them are little better than vagabonds. The dignity of a Marabout is generally hereditary, the Great Marabout taking rank immediately after the monarch. The most distinguished Marabout of our own time is Abul-Kader.

MARCHES, *marsh'-ez* (Ang.-Sax.), denote the country lying near or about the *marks* which indicated the limits of two kingdoms, &c. In England, the march lands were those lying adjacent to the borders of Scotland and Wales. (See BORDER, THIS.)

MARGRAVE, *mar'-grave* (Ger., *markgraf*, count of the Mark).—A title originally bestowed on a commander intrusted with the protection of a mark or country on the frontier. Marks and margraves begin to appear in history as early as the reign of Charlemagne. In rank, margraves stood next to the kings and emperors, and above the dukes in whose country the margrave was

established. In the 12th century margraves became hereditary, and the rank of margrave was equal to that of a prince of the empire, standing between counts and dukes in the German empire.

MARIA THERESA, ORDER OF, *ma-ri'-a te-re'-za*.—The name of an Austrian military order, founded in 1757, and having grand crosses, commanders, and knights.

MARINE STORE DEALERS.—The name given to dealers in old ropes, metals, and second-hand odds and ends generally. They are subject to strict regulations. They must keep books in which the names of the persons from whom articles are bought are entered; and they are also, under a penalty of £20, bound to have their name and the words "dealer in marine stores" painted in letters not less than six inches in length over their warehouse or shop; one very absurd result of this law, and almost completely opposed to the spirit of it, being that the letters of the long inscription are so narrow as to be almost illegible.

MARINES, *ma-reens* (Lat., *marinus*, pertaining to the sea).—A body of soldiers enrolled and disciplined to serve on board ships in a naval engagement, or on shore, where they might co-operate with a fleet in attacking an enemy's coast. They were first established by an order in council in October, 1664, but they appear to have been considered more as embryo seamen than anything else, for as soon as they were duly qualified, they were struck off the muster-roll and entered for seamen, as foremast men. In the reign of Queen Anne six regiments of marines were raised, and these may be said to have formed the nucleus of the present force. In the year 1755, on the recommendation of Lord Anson, the marine force was altogether reconstructed, and raised to 130 companies, consisting of about 5,000 men. In the year 1759, the force numbered about 18,000 men, and during the war at the end of last century and beginning of the present one, the marines mustered some 30,000 men; but the number was afterwards considerably reduced. The several depôts are stationed at Plymouth, Portsmouth, Woolwich, and Chatham, which ports they garrison. The number now is about 14,000. They are divided into Artillery and Light Infantry; the headquarters of the former being at Portsmouth. The marines annoy the enemy at sea by a fire of musketry, directed from the tops or deck, and they also repel, by means of their bayonets, any attempt made to board the ship. This gallant corps has also distinguished itself in duty on shore in many well-fought actions.

MARIOLATRY, *ma-re-ol'-e-tre* (Gr., *maria*, *latreia*, adoration).—A term applied by opponents of the Roman (Catholic Church to the worship of the Virgin Mary. Members of the Romish Church deny that they offer the supreme worship implied by the word *latreia*, but they maintain that their adoration of the Virgin is higher than that paid to any other saint. Prayers to the Virgin are, they say, only petitions for the intercession of Mary with the Divine Son. (See ROMAN CATHOLICISM.) The English calendar retains the dates of the chief festivals of the Virgin—the Conception, the Nativity, the Purification, the Annunciation, the Visitation, and the Assumption.

MARIOTTE, LAW OF, *mar'-i-ot*.—A law affecting the compression of gases, named after

Mariotte, a French natural philosopher of the 17th century, and generally expressed in these terms: "The temperature remaining the same, the volume of a given mass of gas is in inverse ratio to the pressure which it sustains." More recent investigations have proved that this law, though substantially correct, cannot be considered universally accurate.

MARITIME LAW, *mar'e-time* (Lat., *mare*, the sea), as a branch of international law, is that collection of principles and usages that pertains to the rights, duties, and obligations of nations with respect to the sea. (See **LAW OF NATIONS**.) It forms also an important branch of the commercial law of all maritime countries, relating more especially to individuals, to the property of ships, the rights and duties of masters and seamen, contracts of affreightment, average, salvage, &c. Besides the general maritime law, every commercial state has certain admiralty regulations of a municipal character peculiar to itself; as navigation acts, laws with respect to harbours, obstructions in rivers, wrecks, &c. Cases arising under these laws fall within the jurisdiction of the *maritime courts*. These are, in this country, the Court of Admiralty (which see), and its court of appeal, the Judicial Committee of the House of Lords, together with the courts of Vice-Admiralty, established in Her Majesty's possessions beyond the seas, with jurisdiction over maritime causes. To Rhodes belongs the honour of having framed the first authoritative code of maritime laws, which was the source of the maritime jurisprudence of the Romans. Fragments of this code are preserved in the Digest of Justinian, under the title *De Legibus Rhodis de Jactu*; and these fragments, together with a few brief rules of the Roman law, embraced in the works of Justinian, are all that remain to us of the maritime law of the ancients. The earliest maritime code of Western Europe is known as the "Laws of Oleron," the origin of which is involved in obscurity. Earlier English writers contend that these laws were compiled by Richard I. at the isle of Oleron, on the coast of France; while French writers maintain that they were prepared by order of Queen Eleonora, Duchess of Guienne, and mother of Richard I. Recent authors reject both stories, and now the general opinion seems to be that they were compiled in France in the reign of Louis IX. In this country, no system or code of maritime law has ever been issued by authority. The laws and practices that guide us in reference to maritime affairs are founded principally on the practices of merchants, the principles laid down in the civil law, the laws of Oleron and Wisbury, the judicial decisions of our own and foreign countries, &c. The decisions of Lords Mansfield and Stowell have done much to fix the principles and to improve and perfect the maritime law of England.

MARK, ST., GOSPEL OF, *mark*, is the second in order of the four Gospels of the New Testament. St. Mark was not an apostle or companion of Jesus Christ during His ministry; but is said, by tradition, to have been secretary of Peter, and to have written his Gospel according to the discourses of that apostle. Some critics have maintained that this Gospel is merely an abridgment of that of Matthew; and there certainly occur many striking coincidences between them, both in style and words; but the frequent deviations of Mark from the order in time and

arrangement of facts observed by Matthew, as well as the introduction of many things not noticed by the latter, are opposed to this view. This Gospel was originally written in Greek; but from the number of Hebraisms discoverable in it, there can be little doubt that its author was, by birth and education, a Jew; while, on the other hand, its numerous Latinisms show that it was composed by a person who had lived among the Latins. The authenticity of this Gospel is proved by the unanimous testimony of the early fathers. Some critics have thought that the last twelve verses of the 16th chapter were not written by the evangelist, as they are not to be found in some of the ancient manuscripts; but there is nothing to oppose the view that they may have been written by him at a later period, and thus some copies been in circulation without them. In the Revised Version of the New Testament they are included in the Gospel, with a note. Considerable difference of opinion exists as to the time when this Gospel was written; some placing it as early as 56, others after Peter's death, as late as 65. The probability seems to be that it was written about 63 or 64. From the style and character of the book, there can be little doubt that it was written for Gentile Christians. The explanations that are introduced would have been unnecessary if it had been written exclusively for Hebrew Christians, as, where he uses the word *corban*, he adds, "that is, a gift." The Gospel is characterized by clearness, exactness, and conciseness, combined with an almost picturesque quality of narration.

MARKET, *mar'-ket* (Lat., *mercatus*).—In law, an appointed place and fixed time for the meeting of buyers and sellers—a *market*, *mart*, or *open market*. A market can be set up only by virtue of a royal grant, or by immemorial usage, which presupposes a grant. A grant to hold a market must not be prejudicial to others, more especially to the owners of existing markets. Formerly, markets were held chiefly on Sundays, and frequently in churchyards; but statutes were subsequently passed prohibiting these. Sales in markets may be either of goods actually brought to the market, or of goods not so brought, the latter being generally by sample. If stolen goods are sold in open market without fraud on the part of the buyer, the real owner cannot reclaim them; but that law does not apply to Scotland.

MARK, ORDER OF SAINT, is the name of a Venetian order of knighthood, said to have been established in honour of St. Mark, the patron saint of that republic. The doge, as well as the senate, elected knights, who enjoyed a pension. Foreigners also, particularly learned men, were elected.

MARONITES, *mar'-o-nites*.—A sect of Christians in Asiatic Turkey, dwelling principally about Mount Lebanon. Their origin, and the derivation of their name, are matters of some uncertainty; but the prevailing opinion is, that they were called either after a hermit Maro, who lived in the 5th century, or after their first patriarch, John Maro, who flourished two centuries later. The general opinion is, that the Maronites are sprung from the Monothelites, who arose in the 7th century, and held the opinion that Christ, though He united in Himself the divine and human nature, had but one will.

They were supported by several emperors, particularly Heraclius; but they were condemned and banished by Anastasius. In the country of Lebanon they became a warlike mountain people, and defended their freedom first against the Greeks and subsequently against the Saracens. At length, in 1182, they renounced Monothelism, and were received within the pale of the Roman Catholic Church; yet they retained their ancient rites and ceremonies, and accepted no papal doctrines except the supremacy of the Roman pontiff. By this slight tie they still continue united to the Church of Rome. In 1584, Pope Gregory XIII. founded at Rome a Maronite college, from which they have since received most of their priests. In 1730, Clement XII. prevailed on a national synod to accept the resolutions of the Council of Trent. They are, however, permitted to retain many of their old traditional usages; thus their priests, if married before ordination, are permitted to retain their wives. They receive the Lord's Supper in both kinds, use the ancient Syrian language in the church service, &c. Their head is the patriarch of Antioch, whose residence, however, is the convent of Dair-el-Hafee, on Mount Lebanon. Every tenth year he has to give an account of the condition of the church to the Pope at Rome. Under the patriarch are 17 bishops and several other orders of clergymen, most of them very poor, and many subsist only by the labour of their hands. There are many convents for both sexes, the monks and nuns, about 20,000 in number, wearing a distinctive costume.

MARQUE, LETTERS OF, *mark* (Fr.)—Commissions for extraordinary reprisals for reparation to merchants taken and despoiled by strangers at sea, grantable by the Secretaries of State, with the approbation of the sovereign and council, and usually in time of war. If, during war, a subject should take an enemy's ship without commission from the Crown, the prize would belong, not to the captor, but to the Crown. To encourage merchants and others to fit out privateers or armed ships in time of war, the Lords of the Admiralty have been empowered, by various Acts of Parliament, to grant commissions to the owners of such vessels, so that the prizes captured by them may be divided between the owners of such vessels, their captains, and crews. These commissions are ordinarily termed letters of marque.

MARQUIS OR MARQUESS, *mar'kwis*.—An English title of honour next in rank to that of a duke. The original duty of a marquis was to guard the marshes, or frontier territories of a kingdom, from which circumstance the name is derived. The title was unknown in this country till 1337, when Richard II. conferred on his favourite, Robert de Vere, Earl of Oxford, the title of Marquis of Dublin for life. The first occasion upon which the title of marchioness is known to have been conferred was in the 24th of Henry VIII., when Lady Anne Rochford received that dignity in her own right. The oldest existing marquessate is that of Winchester, created in 1557. The title was first introduced into Scotland in 1599, when the marquissates of Huntly and Hamilton were created. There are 19 marquises in the peerage of the United Kingdom; and 14 Scotch and Irish marquises sit in the House of Peers with other titles. The coronet is a circlet of gold and four strawberry or oak leaves, and, alternating with them, four pearls, placed on

points of the same height as the leaves. The reign of George III. supplied the peerage with nearly all the existing marquissates. A Duke is generally a Marquis also, and his eldest son is styled "Marquis" by courtesy, but is not a Peer.

MARRIAGE, *mar'-ridj* (Lat., *matrimonium*), is a solemn contract, dictated by nature and instituted by Providence, between two persons of different sexes, with a view to their mutual comfort and support, and for the procreation of children. The ancient Greek legislators considered the marriage relation as not merely of private but also of public or general interest. By the laws of Lycurgus, criminal proceedings might be taken against those who married too late or unsuitably, as well as against those who did not marry at all. The great object of marriage they regarded as being the rearing of healthy progeny for the State. Among the Romans, marriage proper (*conubium*), by which the children became Roman citizens, could only take place between a Roman citizen and the daughter of a Roman citizen. Between a Roman citizen and a female slave there was no *conubium*; and, in consequence, the children were not Roman citizens. Children were in the power of the father only when the fruit of a legal marriage. The Roman notion of marriage was that of a complete personal unity of husband and wife; for the dissent of either party, when formally expressed, could dissolve the relation. In all Christian communities, the marriage relationship is regarded as the most solemn of contracts, and, excepting in Protestant countries, it is regarded as a sacrament. In this country, although not a sacrament of the Church, yet until very recently it fell almost exclusively under the cognizance of the ecclesiastical courts. Now, however, the new Court of Probate and Divorce exercises some of the functions that formerly fell to the ecclesiastical courts, especially in the matter of divorce. (See *DIVORCE*.) Marriage being a mutual contract, it follows that each party must enter into it of his or her own free will, and also that neither of them labour under any legal disability,—as proximity of relationship, want of age or reason, a prior contract of marriage still subsisting, certain physical disabilities, &c. (See *HUSBAND AND WIFE*.) Marriage is dissolved (1) by death, (2) by divorce, (3) by judicial dissolution on the ground of nullity. As regards the validity of a marriage, the general principle is that it is to be decided by the law of the place where it is celebrated; if valid there, it is valid everywhere; and if invalid there, it is not valid anywhere. This, however, does not apply to marriage with a deceased wife's sister; it having been decided, in 1867, on appeal to the House of Lords, that such a marriage is not valid in this country. The ecclesiastical law required, for the solemnization of this contract, that there should be not only a mutual contract of espousal, *per verba de presenti*, or words in the present tense, but that it should be solemnized by a priest, without which it was not considered a complete legal marriage. The ecclesiastical law, however, has long ceased to govern this contract. Previous to the passing of Lord Hardwick's Act, in 1757, no ceremony in a place of worship was necessary, but the marriage could be performed by any clergyman without any previous notice. The scandalous Fleet and May Fair marriages (see *FLEET MARRIAGES*) were the cause of this Act being passed. In 1836, the

privilege of celebrating marriages was granted to the chapels of Dissenters; and 6 & 7 Vic. c. 70 provides that marriage may take place without any religious ceremony at the office of the superintendent registrar of the district, after due notice and in the presence of witnesses. In all cases, unless a special licence be granted, all marriages must be celebrated between 8 and 12 o'clock in the forenoon; at chapels, the superintendent registrar must be present; and in churches of the Establishment, either notice must have been given by the publication of banns, or a licence from the surrogate of the archbishop must be obtained. Contracts to marry at a future time are recognized by law, and actions for the breach of them are by no means uncommon. The promises, however, must be reciprocal, and a woman is bound by such a contract as much as a man.

Marriage in Scotland.—Marriage is considered only as a civil contract, which may be made in writing, by word of mouth, and at a moment's notice, no preliminary notice or ceremony being required. As a matter of fact, however, the religious feeling of the majority of the Scotch induces them to celebrate marriages in churches or chapels, the ceremony being performed by a minister of religion, after proclamation of banns. The runaway marriages (See GREENA GREEN MARRIAGES) have been stopped since 1830 by the requirement that one of the parties shall have been resident in Scotland for 21 days previous to the ceremony taking place.

Marriage in Ireland.—The law generally agrees with that of England; but a marriage between a Protestant and a Catholic must, previous to the ceremony taking place in a Roman Catholic chapel, have been previously performed by a Protestant clergyman. Any Roman Catholic clergyman who knowingly disregards this law is subject to a penalty of £500.

Marriage Ceremonies.—In almost every country marriage is regarded as a season of rejoicing among the friends and relatives, and is celebrated with certain ceremonies. A curious custom is said to have existed in Assyria of disposing of the marriageable girls by public auction; the money received for the best-favoured of them being given as portions with those whose charms were not sufficient to attract purchasers. Usually with the ancient inhabitants of the East, the bride was obtained by presents made or services rendered to her parents, a practice which still prevails in some parts of that region. With the ancient Hebrews, an interval of ten or twelve months usually intervened between the betrothment and the celebration of the marriage. On the day of the wedding, the bridegroom proceeded, adorned and ornamented, accompanied by a friend (*paranymphe*) and followed by several companions, into the house of the bride, and conducted her, veiled and followed by her companions, with songs of music (at a later period also with torches), into his or his father's house, where the wedding feast was celebrated at his expense. It generally lasted for seven days, but if a widow was married, only for three. The bride and bridegroom were each adorned with crowns, and the conversation was enlivened by songs and enigmas. The duty of the *paranymphe* was to play the part of the host at the feast. The men and women indulged themselves in feasting and conviviality in separate apartments. At length the nuptial blessing, viz., a numerous offspring, was implored upon the parties concerned (which appears to have been anciently the only ceremony performed in constituting the marriage), and the bride and bridegroom were led, the former still veiled, into the bridal chamber, where the bridesmaids accompanied them with torches and song. References to bridal processions and festivals are frequent in the Scriptures, especially in the New Testament; and the Saviour typified His relation to the Church as that of the bridegroom and the bride. The wedding ceremonies of the modern Jews deviate considerably from those of their forefathers, though the rabbis maintain that they strictly follow the ceremonies observed at the wedding of Tobias. Among the ancient Greeks marriage was accompanied by

numerous ceremonies. It was usually preceded by a formal betrothment, when the bridegroom bestowed a present on the bride as a pledge of his honour. The Romans had three different ways of concluding a marriage—*confarreatio*, *usus*, and *coemptio*. The first of these was the most solemn, and was always preceded by a ceremonial betrothment, which often took place many years before the marriage of the parties. In fixing the day of marriage care was taken to select what was esteemed a lucky day; the month of May, the calends, nones, and ides, and the days following them, the feast of the Salarians, &c., were esteemed *atri dies* (black or unlucky days). The *confarreatio* was when a man and woman were joined together in marriage by the pontifex maximus, or *flamen dialis*, in presence of at least ten witnesses, by a set form of words, and by partaking of a cake, (See FARRERS PANIS). There were certain offices in the priesthood that could only be held by the sons of parents who had been married in this way. *Usus*, or usage, was when a woman, with consent of her parents or guardians, lived with a man for a whole year without interruption, when she became his lawful wife by prescription. If the wife wished to avoid the legal consequences of a marriage, absence for three nights during the year from her husband was regarded as a sufficient legal interruption. *Coemptio* was a kind of mutual purchase, the marriage being effected by one delivering to the other a small piece of money, and repeating certain words.

Marriage Settlement is a conventional arrangement, usually made before marriage, whereby a jointure is secured to the wife, and portions to the children, in the event of the husband's death. It is based on what is called the "marriage consideration," which is the highest consideration known to the law, and may be made good against the husband's estate, and satisfied before any other debts. If made after marriage, it will, as a general rule, be fraudulent and void against all persons who are creditors of the husband at the time of the settlement, unless such settlement contain a provision for debts, or be made in pursuance of articles entered into before marriage. In case articles are entered into before marriage, and afterwards a settlement is made different therefrom, the Court of Chancery will set up the articles against it; but where both are concluded prior to the marriage, when both parties were at liberty, the settlement will be taken as a new agreement. These settlements appear to have been in use among the ancient Gauls and Germans.

MARSHAL, *mar'-shal* (Fr. *maréchal*).—A high title of honour in various European countries, though not of the same dignity in all. It is said originally simply to have meant a groom or manager of horses; and from the importance of such an officer among rude, warlike nations, he came to be possessed of great military authority. The office of earl-marshal of England seems to have been introduced into this country by William the Conqueror. (See EARL-MARSHAL.) The marshal of France is the highest military rank in that country, as a field-marshal is in this. Marshal is also sometimes applied to a person who regulates the ceremonies on certain solemn celebrations.

MARSHALSEA, *mar'-shal-se*, was the name of a court originally held before the steward and marshal of the royal house, for administering justice in cases in which his sovereign's domestic servants were concerned, that they might not be drawn into other courts. This court being ambulatory, Charles I. erected a new court of record, with authority to try all manner of personal actions whatsoever which might arise between any parties within twelve miles of the royal palace at Whitehall, not including the city of London. This court was abolished in 1849, by 12 & 13 Vict. c. 101, as was also the old Marshalsea prison in Southwark.

MARTIAL LAW, *mar'-she-al* (Lat. *mar*

italis, pertaining to war.—This is defined by an old authority to be “the law of war, that depends on the just but arbitrary power and pleasure of the king. For though he doth not make any laws but by common consent in parliament, yet in time of war, by reason of the necessity of it, to guard against dangers that may often arise, he useth absolute power, so that his word is a law.” When in time of extreme peril to the State, either from without or within, the general safety cannot be trusted to the ordinary administration, or the public welfare demands the adoption and execution of extraordinary measures, it may become necessary to declare the existence of martial law. It is sometimes known as drum-head law, complete submission being enforced by military authority, and all acts of insubordination punished summarily on the spot.

MARTINMAS, *mar'-tin-mas* (*martin* and *mas*).—The feast of St. Martin of Tours, held on the 11th of November, and often corrupted to Martilnass, or Martilomas. In Scotland, it is one of the four quarter days for paying rent.

MARTYR, *mar'-ter* (Gr., *martur*, or *martus*, a witness).—A name generally given to one who has suffered death on account of his religious opinions. In the early Church, many suffered in this way at the hands of the Romans, bearing witness to the truth of Christianity with their blood. Many of these underwent with astonishing fortitude the most cruel tortures, and doubtless in this way contributed greatly to the spread of Christianity. Those who suffered persecution on account of their faith, but short of death, were called confessors. The martyrs were supposed to enjoy very peculiar privileges. According to some, they passed at once to the full enjoyment of heaven, for which others had to wait till the day of judgment. Martyrdom was thought so meritorious that it was called the second baptism, or baptism in blood; and in any case in which a catechumen was apprehended and slain for the name of Christ before he could be admitted into the Church by baptism, his martyrdom was deemed sufficient to answer all the purposes of that sacrament.

Martyrology (Gr., *martur*, and *logos*, a discourse) is a catalogue or list of those who have suffered martyrdom in the cause of Christ, with an account of their lives and sufferings. Martyrologies are very numerous; but many of them contain very absurd and ridiculous narratives. The Martyrology of Eusebius was celebrated in the early Church, and was translated into Latin by Jerome; but it is now lost. Among Protestant Martyrologies is Fox's “Book of Martyrs,” which is a valuable record of the sufferings of the English Protestants in the reign of Mary.

Martyrs, Festivals of the, in the early Church were occasions on which the Christians assembled at the graves of the martyrs, when orations in commemoration of their deeds and sufferings were delivered, praise and thanksgiving offered unto God, and the Lord's Supper administered. On these occasions, the rich bestowed largely of their goods among the poor.

MASS, *mass* (Lat., *missa*, sent).—The office or prayers used in the Roman Catholic and Greek Churches in the celebration of the Eucharist, or in the consecration of the sacramental bread and wine into the body and blood of Christ. Some derive the term from the Hebrew *Misshah*, an oblation or sacrifice; others from the Latin *missa*, because, in the early ages of the Church, the catechumens, or new converts, were sent away before the consecration of the host. Now, at the conclusion of the service, the deacon says, *lie*,

missa est (“Go: the congregation is dismissed”). The prayers of the mass are all in Latin in the Roman Catholic Church, and in ancient Greek in the Greek Church. Mass is performed entirely by the officiating priest, standing before the altar, and attended by a clerk who says the responses. The mass is divided into four parts:—1, the preparation, or the prayers made before the offering, which was formerly called the mass of the catechumens; 2, the consecration, in which the priest consecrates the bread and wine, repeating the words *hoc est corpus meum*, &c., and then shows the people the bread and the cup, upon which all the people kneel down; 3, the breaking of the host and the communion; 4, the post-communion, or thanksgiving, when the priest blesses the people. There are different kinds of masses. A high or solemn mass is celebrated by a priest or prelate, attended by a deacon and subdeacon, and is sung by choristers, accompanied by the organ and other musical instruments; but the principal mass on Sundays and festivals is also called high mass, though there are neither deacons, sub-deacons, nor choristers present. A low or ordinary mass is one in which no part is sung, and at which the priest has no assistant but his clerk. The ordinary duration of a low mass is half an hour; the high mass is a long and pompous service. Every member of the Roman Church is bound, under pain of mortal sin, by one of the precepts of the Church, to attend mass every Sunday and on certain holidays, called days of obligation, unless prevented by sickness or other grave impediment. In every parish church mass is said daily, and the priest must not break his fast from the previous midnight until he has said mass. The officiating priest wears five peculiar vestments—two of linen, the amice and alb, and three of silk or precious stuffs, the maniple, stole, and chasuble, the alb being girt with a cincture, usually of silken cord. The colour of these vestments varies at special services, the colours made use of being white, red, green, purple, or violet, and black. Embroidery of gold and silver and precious stones sometimes adorn the vestments. There are masses of the season, Lent, Advent, &c., in which the prayers differ in some degree from those used in the ordinary mass; and on Good Friday a “mass of the presanctified” is celebrated, in which no consecration takes place, but the priest communicates of the Host consecrated on the previous day. (See **HOST**.)

Meaning of the Ceremonies of the Mass.—The following explanation of the mass and its attendant ceremonies is given by Picart:—1. The priest goes to the altar, in reference to our Lord's retreat with His apostles to the Garden of Olives. 2. Before he begins mass, he says a preparatory prayer; he is then to look upon himself as one abandoned of God, and driven out of Paradise for the sin of Adam. 3. The priest makes confession for himself and for the people, in which it is required that he be free from mortal and venial sin. 4. The priest kisses the altar as a token of our reconciliation with God, and our Lord's being betrayed with a kiss. 5. The priest now goes to the opposite side of the altar, and purifies or perfumes it with incense. Jesus Christ is now supposed to be taken and bound. 6. The Introit is said or sung, applicable to the circumstances of our Lord's being taken before Caiaphas. 7. The priest says the “Kyrie Eleison” (Lord, have mercy upon us), in allusion to Peter's denying our Lord thrice. 8. The priest, turning towards the altar says, “Domine vobiscum,” the people returning the salutation by “et cum spiritu tuo,” and this means Christ looking at Peter. 9. The priest reads the epistle

relating to Jesus being accused before Pilate. 10. The priest, bowing before the altar, says, "Munda cor," and the devotion is directed to our Saviour's being brought before Pilate, and making no reply. 11. The priest reads the Gospel in which Christ is sent from Herod to Pilate; and the Gospel is carried from the right of the altar to the left, to denote the offering of it to the Gentiles after it had been refused by the Jews. 12. The priest uncovers the chalice, and this means the stripping of our Lord in order to be scourged. 13. The oblation of the Host; the priest then kisses the altar and offers up the Host to represent the scourging of Christ. 14. The priest elevates the chalice and then covers; this means the crowning with thorns. 15. The priest washes his fingers as Pilate washed his hands; declares Jesus innocent; blesses the bread and wine, blesses the frankincense, and perfumes the bread and wine, &c.

Ship Mass.—The *Missæ Nautica*, or, less correctly, *Missæ Sæcra* (Dry Mass), consists only of the reading of the prayers of the mass, without any consecration of the elements, which might be spilled by the movement of the ship.

MASSORAH, *mas-sô'-ra*.—A collection of critical notes on the Old Testament, of great value in establishing the correct text, and of great antiquity but uncertain origin. The first traces of it are found in some ancient works explaining the mode of writing the synagogue rolls of the Pentateuch. The collection was doubtless the work of many ages, and was first committed to writing at Tiberias between the 6th and 9th centuries of the Christian era. About the 11th century, the Great Massorah appeared, and extracts from it, with the title of the Small Massorah, afterwards appeared. A final arrangement of the Massorah (which is written in very difficult Chaldean, with perplexing abbreviations, contractions, and symbols) was made by a learned Jew, Jacob ben Chajim, of Tunis, and printed at Venice in 1545, in Bomberg's Rabbinical Bible.

MASTER, *mas'-ter* (Lat., *magister*).—A term denoting, in a general sense, the governor, director, or owner of a thing; also one skilled in any particular pursuit of science; it is also sometimes used as a title of honour. Among the ancient Romans, *Magister*, with some qualifying word or phrase, was used as a title of honour; as *Magister Equitum*, master of the cavalry, who held the first rank in the army after the dictator. *Master of the Ceremonies*, an officer instituted by James I. for the more solemn and honourable reception of ambassadors and other strangers of quality to be introduced into the royal presence. The *Master of the Household* is an officer of the royal household under the Lord Steward, whose duties are chiefly the selection and superintendence of the servants, and examining certain of the accounts. *Master of the Horse*, an official having the government and direction of the royal stables; and the *Master of the Buckhounds* attends at and controls the royal hunts. The *Master of the Mint* and his deputy are the ostensible executive heads of that department under the Treasury. *Masters in Chancery* were assistants to the Lord Chancellor, usually twelve in number; but these offices were abolished by 15 & 16 Vict. c. 80. *Masters of Court* are the chief officers under the judges. They make minutes of the proceedings and tax bills of costs. *Masters in Lunacy*. (See LUNACY.) The *Master of the Rolls* was the assistant of the Lord Chancellor in Chancery. He has the keeping of the rolls and grants which pass the Great Seal and the records of Chancery. He formerly ad-

ministered equity in the Rolls Court, now abolished.

In the Royal Navy, a Master was formerly an officer charged with the duty of navigating the vessel under the general orders of the captain. A few years since the title was abolished, that of "navigator" being substituted, with an improved professional status. The pay ranges from 12s to 22s a day.

A Master-at-Arms is a petty officer charged with the care and instruction in the use of small arms, and the maintenance of discipline and order among the crew.

MASTER AND SERVANT.—In law, a certain relationship, constituted by mutual consent, whereby a person calls in the assistance of others, where his own skill and labour are not sufficient to carry out his own business or purpose. Such arrangements are subject to the laws that govern ordinary contracts, and must be entered into voluntarily, and by persons qualified to give their consent. The law will not regard the most formal contract, if it appear to have been extorted by force or fear, or obtained by fraud. The existence of the contract may be proved by writing, or, within certain limits, by witnesses; and it may sometimes be inferred from circumstances. The duties to be performed, the recompense for those duties, and the duration of the contract, are matters of arrangement; or they may be guided by custom; but no custom will prevail against express stipulation. A master or mistress is not legally bound to give a character; but if a good character be given to an undervaluing servant, the person giving such character is liable to action by the new master, and, if the servant has been guilty of robbery, will have to compensate for the loss. If a bad character be untruly and maliciously given, the person giving it will be liable to an action for defamation, though both the truth and the malice require to be proved. Persons representing themselves to be masters and giving false characters, are liable to be summarily convicted and fined £20. In general, a master is liable, civilly and sometimes criminally, for wrongs committed by his servant in the course of or under cover of his employ; but he is not answerable for the wilful misfeasance of his servant, who has wholly lost sight of his duty. Of servants there are several kinds. Menial or domestic servants are generally engaged at a fixed amount of wages per annum; but there is generally no express stipulation as to the time the service is to last; and when the terms are not otherwise defined, it is generally understood that either party may terminate the service upon a month's warning, or upon payment of a month's wages. Clerks, tutors, governesses, &c., though in a sense menial (*infra menia*), cannot, like common domestics, be turned off at a month's notice, if there be no stipulation to that effect; for such are understood to be engaged by the year (at least if the wages or salary be payable by the year or quarter). If a yearly servant be dismissed before the year expires, for misconduct which will justify his dismissal, he is not entitled to wages even for that part of the time which he has served. A servant may be lawfully discharged for wilful disobedience, gross immorality, habitual negligence, or incompetence. Any person enticing away, or inflicting a personal injury on, a servant, or seducing a female servant, and thereby causing loss to the master, is liable to have an action brought against him for damages. In the case of the bankruptcy of a master, preference is given

to servants' wages if due and unpaid, but only to the extent of two months' wages, the servant being an ordinary creditor for any further amount. A master is not bound to provide medical attendance for a servant. By the Master and Servant Act, 1867, passed as a result of the report of a Parliamentary Committee, it was provided that either a master or a servant, if aggrieved, could lay an information before a magistrate (in Scotland, a sheriff), who will issue a summons calling on the person accused to answer the charge. The court has power to order a fulfilment of the contract by the party adjudged to be in default, and can, according to the circumstances, declare the servant's wages to be forfeited; or it can annul the contract and apportion the wages due under it; or it may inflict a fine of not more than £50, or inflict damages, recoverable by execution, or, in default, can sentence the party to imprisonment, without hard labour, for a term not exceeding three months, or, in case of malicious and exaggerated injury, the imprisonment may be accompanied by hard labour. Considerable dissatisfaction having been caused by the working of this Act, a Royal Commission to inquire into its working was appointed in 1874. A master cannot, by way of correction, even moderately beat his servant or labourer in husbandry, or otherwise, as he might his child or apprentice; and if he do so, the servant may lawfully depart or obtain his discharge by application to a justice, and support an action for battery.

Employers' Liability Act, 1880.—By this Act (41 & 42 Vict. c. 42), a workman, or his personal representatives, can recover compensation from his employer for injuries caused by any "defect in the condition of the ways, works, machinery, or plant connected with or used in the business of the employer," but not unless the defect "arose from, or had not been discovered or remedied, owing to the negligence of the employer," or of some person in his employ authorized to see to such matters. If the negligence is that of any person in the service of the employer, and whose orders the workman, at the time of the injury, was bound to perform; or if the injury arises from regulations made by the rules or bye-laws of the employer, or from particular instruction given by him (unless the bye-laws have been sanctioned by a Secretary of State or the Board of Trade, or other department of Government); or by reason of the negligence of a signalman or other person in the service of a railway company, compensation is recoverable, but shall not exceed an equivalent to the estimated earnings for three years preceding the injury. A county court in England, a sheriff's court in Scotland, or a civil bill court in Ireland, have jurisdiction in such cases.

MATE—In the Royal Navy there used to be a grade of officers ranked between the lieutenants and midshipmen, styled mates; but in the present day, the term has given place to the appellation *sub-lieutenants*. There are, however, still *master's mates*, *gunner's mates*, and *boatswain's mates*, which are the deputies of those officers, selected from the crew.

MATERIALISM, *ma-ti-er-al-izm*.—A philosophical term commonly used to characterize such systems as deny the existence of a spiritual or immaterial principle in man apart from matter. From the loose and general way in which the term is used, it embraces systems that differ widely from each other. A very modified system of materialism, if, indeed, it ought to be called materialism at all, is one which, while admitting the existence of a soul, attempts to account for the various mental phenomena by physical causes. Then there is what we may term the materialism of Dr. Priestley,

which denies the existence of a soul in man capable of surviving the body, but yet believes in the resurrection of the body and a future state of rewards and punishment. Again, there are those materialists who deny the existence of anything in this world but matter, and consequently do not believe in the existence of a Deity, or in a future state. The last of these are strictly and purely atheists. (See *ATHEISM*.) Dr. Priestley has more clearly and fully than any other person expounded the principles of materialism in the strict sense of the word. He denies the existence of an immaterial principle in man, because he thinks that it could not exist in union with a material body; and because he thinks that all the mental phenomena may be explained by "medullary vibration," and other supposed movements of the material parts. The corporeal and mental faculties are inherent in the same substance; grow, ripen, and decay together; and whenever the system is dissolved, it continues in a state of dissolution till it shall please the Almighty Being, who called it into existence, to restore it to life again. In this view the question of materialism is not, perhaps, of so much consequence as some may imagine. Its advocates deny that their doctrine militates against the hope of a resurrection; on the contrary, they maintain that it points out "more fully the necessity and value of a resurrection from the dead," on which alone they say that the sacred writers build all their hope of a future life; for the apostle Paul says, "If the dead rise not, then is not Christ risen," &c. (1 Cor. xv. 16). Those views were at one time held by Robert Hall, though he afterwards saw reason to change them. Materialism almost of necessity involves the doctrines of Socialism and philosophical necessity. The great objection to it is that it is unphilosophical. It rests entirely upon hypotheses and conjecture. We have no evidence for the assertion of Mr. Lawrence that "medullary matter thinks." Much as it is known that mind depends upon matter for its development in man, every property of mind and every property observable in matter are so essentially different, that the idea of homogeneity in the two substances could not be admitted except on much stronger evidence than materialists have yet been able to bring forward. Until it can be inductively established that the modes of *extension* and the modes of *thought* are alike ultimately referable to one common substance, the laws of a sound philosophy demand the ascription of the one class of phenomena to one substance, termed matter, and of the other class of phenomena to another substance termed mind. Much mischief is often done to philosophy by mixing up the results of observation with what can only be matter of conjecture. A recent writer says, "By the term 'materialists,' when properly used—which is not very often the case—the reader may understand one who denies the existence of any spiritual being; but by the term 'materialistic,' all those philosophies and forms of thought which tend to give prominence to the outer or physical world, in contrast with the inner or spiritual."

MATINS, *mat-ins*. (See *CANONICAL HOURS*.)

MATTHEW, ST., GOSPEL OF, *math-yu*, is the first in order of the four Gospels of the New Testament, and is generally believed to have been the first written; but the exact date is unknown. Opinion is divided as to

whether this Gospel was originally written in Greek or Hebrew, or whether Matthew did not write it in both languages. On the genuineness and authenticity of St. Matthew's Gospel we have the most satisfactory evidence, though there have been critics to call them in question. The Gospel of St. Matthew, as compared with the other Gospels, is characterised by the clearness and particularity with which many of our Saviour's discourses and moral instructions are related; and, speaking generally, it may be said that the narration of our Lord's actions is commonly made subservient to His instructions which are introduced. The style is everywhere plain and perspicuous. This Gospel was evidently primarily written for Christians of Jewish descent in Palestine. Every circumstance is carefully pointed out which might tend to strengthen the faith of that people, and every unnecessary expression is avoided that might tend to obstruct it. Everywhere there is kept in view the evolution of the twofold title of the first verse, "Son of David," "Son of Abraham." This Gospel consists of four parts:—1, On the infancy of Jesus Christ (i. ii.); 2, the discourses and actions of John the Baptist preparatory to our Saviour's commencing His public ministry (iii.—iv. xi.); 3, the discourses and actions of Christ in Galilee, by which He demonstrated that He was the Messiah (iv. 12—xx. 19); 4, containing the transactions relative to the passion and resurrection of Christ (xx. 17—xxviii.)

MAUNDAY-THURSDAY, in the Church, is the Thursday before Easter, being the day on which our Lord instituted the holy sacrament of the Lord's Supper. The name *maundy* is said to be a corruption of *mandati* (*this mandati*, day of the commandment), in allusion to the commandment which our Saviour gave on this day after washing His disciples' feet, to love one another. Others suppose that the name is from the *mandula*, or baskets of gifts, which Christians were in the way of presenting to each other on this day in token of mutual affection. It is customary in some parts of the Continent for bishops, sovereigns, and others to wash the feet of twelve poor persons on this day; and in this country it is still the custom of the lord almoner to distribute certain royal donations to the poor in the royal chapel at Whitehall on Maunday-Thursday.

MAYA, *nu'-yah*, in the mythology of the Hindoos, the personified will of the Supreme Being.

MAYOR, *may'-or* (Lat. *major*; Fr. *maire*), is the chief magistrate in a borough or corporate town, and in London, York, and Dublin is styled lord mayor. Their powers and duties depend generally on the provisions of charters, corporate usages, or express enactments in Acts of Parliament. They are elected annually, and are justices of the peace *pro tempore*.

MAYOR OF THE PALACE. (See **MAJOR DOMUS**.)

MECHITARISTS, *mek'-ti'-ar-ists*.—Followers of Mechitar da Petre, an Armenian Christian, who in 1701 founded a religious society at Constantinople for the purpose of spreading a knowledge of the old Armenian language and writings.

MEDICAL JURISPRUDENCE is that department of science in which medical knowledge is called in to the aid of legislation, and consists in the application of the principles of

medical science to the administration of justice and the preservation of the public health. Even as early as the institution of the Mosair economy, we find traces of a medical jurisprudence, when the judges were enjoined to consult the priests, who were then the only physicians, or the modes of distinguishing leprosy from other diseases, &c. In ancient Greece, though the principles of medical science were successfully cultivated, they seem to have been little employed in legislation. In the Justinian Code we find very obvious traces of the relation between medicine and law. But the origin of medical jurisprudence as a science cannot be considered to date further back than the middle of the 16th century, when the celebrated Carolinian Criminal Code was published in Germany. This Code of Charles V. enjoined the magistrates, in all cases of doubt, respecting asserted pregnancy, infanticide, the means of homicide, and other cases of death by violence, to consult the opinions of living medical men; for, singularly enough, the Justinian Code referred the decision of medical questions, not to living witnesses, but to "the authority of the learned Hippocrates." During the latter part of the 16th and the earlier part of the 17th century, medical jurisprudence made marked progress. The works of Dr. Christison on poisons, and of Drs. Beck, Traill, and Taylor, may be referred to, as in their latest editions being the most able and complete treatises in our language on medical jurisprudence.

MEDJIDIE, *med'-ji-tie*.—A Turkish order of five classes, conferring decorations for "zeal, honour, and loyalty." It was instituted after the Crimean war, the stars and badges of the order being largely conferred upon the British officers who assisted in that campaign.

MELBOURNE ADMINISTRATION.

—On the retirement of Earl Grey, July 9, 1834, Viscount Melbourne became First Lord of the Treasury; but his ministry was dismissed by William IV., on the following November. The second Melbourne Administration was formed in April, 1835, on the resignation of Sir Robert Peel, and lasted until August 30, 1841, when Sir Robert Peel returned to office.

MELCHITES, *mel'-kites*.—A sect of Eastern Christians dating from the fifth century, who, while acknowledging the authority of the Pope, still adhere to the liturgy of the Eastern Church.

MELIORATIONS, *me-li-or-a'-shuns*.—A term in Scotch Law, used to denote the improvements made by a tenant on the farm or estate he rents, and if he is turned out prematurely or abruptly, he is entitled to compensation.

MENNONITES, *men'-nonites*.—The name applied to the Anabaptists of Holland, after they had placed themselves under the leadership of a native of Friesland, named Mennos, who engaged to abate the fanatic zeal of his new followers. (See **ANABAPTISTS**.)

MESSENGER-AT-ARMS, *mes'-sen-jer*.—

An officer employed to execute the writs issued from the superior courts in Scotland. Each messenger is obliged to find security for the proper performance of his official duties, which require to be executed with great precision, as they are not only amenable to questions regarding the liberty of the subject, but upon the legal accuracy of some of their acts the title to landed property may afterwards depend.

MESSENGER, KING'S OR QUEEN'S.

—Certain officers employed under the secretaries of state, who are kept in readiness to carry despatches either at home or abroad. They were formerly employed for serving the secretaries' warrants for the apprehension of persons accused of high treason; and in such cases it was not at all uncommon to detain their prisoners at their own houses. As a remarkable instance of this practice, we may mention that in the year 1713, the ambassador of Morocco was taken into custody by a king's messenger, on January 9, and was not released until July 14, a space of six months.

MESSIAH, mes-si'-ah.—A Hebrew word signifying "the anointed," and applied, as expressive of eminence, to our Saviour. In the Greek translation from the original, the word is read *Christos*, whence our Christ. It was the custom of the Jewish nation to anoint all high personages, as kings, &c.; and thus the title was applied to Jesus by the Jewish Christians. The Jews, however, deny that the Messiah has yet come, and they are looking out for and expecting His arrival, in order that their kingdom and nation may be restored to its former elevation.

MESSEUAGE, mes'-saj.—An English legal term, used to denote a dwelling-house and a piece of land adjoining.

METAPHYSICS, mel'-a-fi: zis (Gr., *meta*, after; *physika*, physics, from *physis*, nature).—A term meaning, in its widest signification, the philosophy or science of the mind. Literally, it means that which comes after physics, and was probably manufactured by Andronicus Rhodius, the first editor of Aristotle's works, and applied by him to a certain collection of that philosopher's dissertations which he placed in order after those treatises relating to physics. As those dissertations related to the mind and certain mental problems, the word has now come to mean, in its widest sense, all that branch of science which investigates and describes the laws and properties of our mental organization. Considered in its more special senses, it is synonymous with (1) *Psychology*, or that branch of science which deals particularly with the phenomena of mind, such as the facts of consciousness; and (2) with *Ontology*, i.e., the rational inferences to be derived from those phenomena. This, of course, includes the problem of *Perception*. Under the branch *Ontology*, metaphysicians consider what may be called *Inferential Psychology*, the Being of God; the immortality of the soul, &c. Indeed, it may be said that ontology deals almost wholly with beliefs of all kinds. (See **CONSCIOUSNESS**.) It will be seen that metaphysics is one of the widest of subjects, and one upon which there is great diversity of opinion. (See also the other articles in this work referring to branches of the subject, such as **PERCEPTION**, **COMMON-SENSE PHILOSOPHY**, **KANTIAN PHILOSOPHY**, &c., &c.)

METAYER, mel'-a-yer.—The tenant of a farm who gives his landlord a portion of the produce in place of money rent. The term has been largely used by some writers and speakers on political economy, who advocate this system as superior to that of paying rent in coin. There are others, however, who believe that such a system would be very disastrous.

METEMPSYCHOSIS, me-tem-se-ko'-sis (Gr., *meta*, beyond; and *empsychō*, I animate).—

The supposed transmigration of souls from one body to another. This idea belongs to the oldest religions of India and Egypt. Pythagoras, who is said to have borrowed his notion from the Egyptians, held that after death men's souls passed into other bodies, of this or that kind, according to the life they had led. This is also a prominent feature in the systems of Brahminism and Buddhism, which represent the soul as passing after death into the body of a higher or lower animal, as a reward of virtue or a penalty for vice. Human life is regarded only as a link in a chain of conditions through which the soul passes in a long career or procession from God and returns to Him. A period of 12,000 divine years, each embracing 360 human years, is assigned as the period for transformations and purification, after which the soul receives its reward of being absorbed in the divine nature. Plato maintained the pre-existence of the soul before its appearance in man, and that of this prior state it retained some dim reminiscences. After death, according to its peculiar qualities, it seeks a new body suitable to it. Every soul, according to him, returns to its original source in 10,000 years. The idea of metempsychosis subsequently appears in the speculations of the Neo-Platonists, in the Cabala of the Jews, and even in the writings of Origen. In recent times the theory was revived by Fourier.

METHODISTS, meth'-od-ists.—Under this term are comprehended two principal and several subordinate sects, having totally distinct governing organizations. The two grand sections also differ from each other upon points of doctrine, the one professing Arminian, the other Calvinistic, sentiments. The former are the followers of John Wesley, and known as "Wesleyan Methodists," the latter are followers of George Whitefield, and commonly termed Calvinistic Methodists. The Wesleyan Methodists comprise the "Original Connexion," "New Connexion," "Primitive Methodists," "Bible Christians," "United Methodist Free Church," and "Wesleyan Reformers." The Calvinistic Methodists are the "Countess of Huntingdon's Connexion," and "Welsh Calvinistic Methodists." The doctrines held by the Wesleyans are substantially according with the articles of the Established Church, interpreted in their Arminian sense. They maintain the doctrines of original depravity, an unlimited atonement, justification by faith, and a divine assurance of acceptance with God. Wesley distinctly declared himself an Arminian on the subject of predestination, understanding it in a sense not contrary to the doctrine of redemption, and the possible salvation of the whole human race. The public services of the Methodists present a combination of the forms of the Church of England with the usual practice of dissenting churches. In the larger chapels, the Church liturgy is used, and in all the sacrament is administered according to the Church of England rubric. Love-feasts are occasionally celebrated, and on the last day of every year a solemn midnight meeting, called a watch-night service, is held. One principal feature of Methodism is the system of classes, each being composed of about twelve persons, one of whom is appointed leader, whose duty it is to meet his class once a week, converse with each member, hear from him a statement of his spiritual condition, and give appropriate counsel. A society consists of one or more of these classes, and several of these

societies form a circuit, which generally includes a town and the neighbouring villages. The public worship of these societies in each circuit is conducted by two descriptions of preachers,—the one clerical, the other lay. The former are set apart entirely for the work of the ministry, and are supported by funds raised for that purpose. From one to four of these "itinerant preachers" are appointed annually, for not exceeding three years in succession, to each circuit. Their ministry is not confined to any particular chapel, but they act interchangeably according to a plan generally re-made every quarter, a preacher seldom officiating more than one Sunday in a chapel without a change. The lay or "local" preachers, as they are called, follow secular callings, and preach on the Sundays at the places arranged for them on the above plan. Besides preaching in the various chapels in their respective circuits, the itinerant preachers administer the sacraments of baptism and the Lord's Supper. One or other of them, according to arrangement, meets every class in his circuit once every quarter personally, converses with every member, and distributes to all who have walked orderly during the past three months a ticket of membership. One of the ministers in each circuit acts as superintendent. The highest Wesleyan court is the Conference, composed exclusively of ministers. It derives its authority from a deed of declaration, executed by Mr. Wesley in 1784, and which provided that after his death 100 persons, named in the deed, being preachers and expounders of God's Holy Word, should exercise the authority which Wesley himself possessed to appoint preachers to the various chapels. Vacancies are to be filled up by the remainder at the annual conference. Representatives selected by the district meetings, and such other ministers as are appointed or permitted to attend, are allowed to take part in the proceedings, and even to vote, though no decision is binding that has not the sanction of the legal hundred. The Conference must sit for at least five days, and not more than three weeks. It examines into the moral and ministerial character of every preacher, receives candidates on trial, admits ministers into the connexion, and appoints preachers to particular circuits or stations. It also exercises a general superintendence over the various institutions of the body, including the appointment of various committees.

History of Methodists and Methodism.—In 1729, John Wesley, when a fellow of Lincoln College, Oxford, with his brother Charles and a few others, began to hold small evening meetings for religious exercises. The name of Methodists was given to them on account of their regularity and strictness of conduct. The society was broken up by the departure of the Wesleys for Georgia, as chaplains for the colony which had been planted there. They returned to England in 1734. Hitherto they had held the opinions of extreme High Churchmen; but a change having taken place in their views, they were debarred from officiating in the pulpit, and had recourse to preaching in private houses, fields, or waysides. The result of their preaching was a general awakening on the subject of religion throughout the land, and their followers became so numerous that it was necessary to form them into societies, and to draw up certain rules for their guidance. The only condition of membership was "a desire to flee from the wrath to come, and be saved from their sins." Members, however, after admission were expected (1) to abstain from doing harm, by avoiding evil of every sort, as quarrelling, fighting, drunkenness, swearing, profaning the Lord's day, uncharitable or unprofitable conversation, the buying and selling of uncustomed goods, &c.; (2) to do good of every possible sort, and

as far as possible, to all men; (3) to attend upon all the ordinances of God. The peculiarities of the Wesleyan polity now developed themselves. In June 1844, the first conference was held in London; the different parts of the kingdom were divided into circuits, and lay preachers were appointed.

Statistics of Members, &c.—In the "Original Connexion," to which the above remarks mainly apply, there were, in 1882, in Great Britain, 393,754 openly professed members; 40,653 members "on trial"; 1549 ministers and 81 "on trial," with 270 supernumeraries. In Ireland and Irish Missions, there were in the same year, 24,475 members and 775 members "on trial"; 200 ministers and 18 "on trial," with 43 supernumeraries. There are also numerous missions with about 90,000 members and 12,000 "on trial," with about 400 ministers and 700 "on trial," and 19 supernumeraries. The body possesses about 7,000 chapels in Great Britain.

Other Methodist Sects.—The *Methodist New Connexion* originated in a dispute that took place soon after Wesley's death in 1791, regarding the admission of the laity to some participation in the government of the body. In the Original Connexion all authority is virtually vested in the preachers; the New Connexion, on the contrary, admits the principle of lay participation in church government. The separation took place in 1797, and the New Connexion was formed under the leadership of the Rev. Alexander Kilham. In doctrine, and all the essential and distinctive features of Wesleyan Methodism, they are both alike; the Arminian tenets, and the outline of ecclesiastical machinery, comprising classes, circuits, districts, and conference, are the same in both. There are about 1,400 ministers and lay preachers, 30,000 members, and 450 chapels.

The *Primitive Methodists*, sometimes known as the *Ranters*, originated in Staffordshire, in 1810, in consequence of a desire among certain persons to revive the spirit and fervour of the early preachers. Their doctrines and ecclesiastical polity are similar to those of the Original Connexion, except in the admission of lay members to the conference. The Society employs about 17,000 ministers and lay preachers, has 200,000 members, and 4,400 chapels.

The *Bible Christians*, or *Bryanites*, are not the result of any secession from the Methodist body, but grew up as an independent community, and adopted the essential principles of Methodism. Its founder was one Wm. O'Bryan, a Wesleyan local preacher in Cornwall, who left that body in 1815, and began to form societies upon the Methodist plan. In doctrine, they do not differ from the other bodies of Arminian Methodists. There are about 1,700 ministers and lay preachers, 24,000 members, and 550 chapels.

The *Wesleyan Methodist Association* originated in a dispute in 1844 regarding the establishment of a theological institution, and one minister who opposed it, and certain of his sympathizers, were expelled from the connexion, and formed a new body. The lay element has here more influence in matters of church discipline than with the Old Connexion, and the Annual Assembly (answering to the Conference) is composed of such itinerant and local preachers and others as the circuits, societies, or churches may elect, the number of representatives being regulated by the number of constituents—circuits with less than 500 members sending one; from 500 to 1000, two; and above 1000, three representatives. This body has lately been united with a number of the Wesleyan Reformers, under the name of the *United Methodist Free Churches*. About 3,500 ministers and lay preachers are engaged in the work. The members number nearly 75,000, and there are about 1,200 chapels.

The *Wesleyan Reformers* separated from the Original Connexion in 1850, in consequence of the expulsion of certain ministers, who refused to repudiate all connexion with certain anonymous pamphlets, reflecting against certain proceedings of the Conference. It is calculated that this proceeding led to the loss of 100,000 members to the connexion. The Reformers, however, do not wish to be regarded as a separate church, or even as an independent connexion, but profess a high regard for the communion from which they consider themselves to have been illegally ex-

elled. Nearly a half of them have, however, as already stated, united themselves with the *Wesleyan Methodist Association*.

The *Calvinistic Methodists* were the followers of George Whitefield, after he separated from Wesley, on the doctrine of election. The only sects now existing of this class are the Countess of Huntingdon's Connexion and the Welsh Calvinistic Methodists, most of the other congregations having become gradually absorbed into the Congregational body. The Countess of Huntingdon was one of those that were deeply impressed by the preaching of Whitefield, and by his advice she assumed a kind of leadership over his followers, erecting chapels, appointing preachers, and establishing a college. The doctrines of this connexion are almost identical with those of the Church of England, and the form of worship does not differ materially. In ecclesiastical government, the congregational polity is practically adopted. The *Welsh Calvinistic Methodists* originated from the preachings of one Howell Harris, about 1736. The movement spread very rapidly, and societies were formed, and a system of organization carried out. The *Quarterly Association* corresponds to the Wesleyan Conference, and consists of all the preachers and leaders of societies in the connexion. The preachers are itinerant, and only a certain number of them are ordained to administer the sacraments. Their doctrines are substantially in accordance with the Articles of the Established Church, understood in their Calvinistic sense.

Methodist Episcopal Church.—The term given to the Wesleyan Methodists in the United States. This Society was established by Irish emigrants in 1766, at New York, and in a short time considerably increased. As time went on, however, certain differences arose, mainly connected with the slave-trade, and dissatisfaction was also expressed by great numbers with the Episcopal form of worship. These differences led to various secessions at various periods, which formed new Societies or Connexions. The Methodist Episcopal Church, however, appears to have the greatest number of adherents.

METROPOLIS, *metrop-o-lis* (Gr., *meter*, mother, and *polis*, city), is the capital or principal city of a country or province, and, as it were, the mother of all the rest. The Roman empire having been divided into 13 dioceses and 120 provinces, each diocese and each province had its metropolis or chief city, where the procurator or vicar of the empire had his residence.

Metropolitan.—The bishop of the capital city had the direction of affairs, and the pre-eminence over all the bishops of the province. He hence received the name of metropolitan or archbishop. The erection of metropolitans is referred to the end of the 3rd century, and was confirmed by the council of Nice. In the Church of England, the metropolitans are the Archbishops of Canterbury and York.

METROPOLITAN BOARD OF WORKS.—A governing board created by the "Metropolis Local Management Act of 1855, and intrusted with great powers for managing the drainage, lighting, cleansing, &c., of London. It also possesses power to rate occupiers of houses for the expenses involved.

METROPOLITAN BUILDING ACTS.

—These were not introduced until the reign of Elizabeth, and were very limited in their operation. After the fire of London, Sir Christopher Wren suggested a plan for rebuilding the city. If this had been carried into effect, it would have formed the nucleus of a splendid metropolis. Shortly after this fire—viz., in the 19th and 22nd of Charles II.—two Statutes for regulating buildings in London were passed. These were followed by the Act of 6 and 7 Anne. Another Statute was passed in the 33rd of Geo. II., and some others were enacted in the reign of Geo. III. The chief object of all these was to prevent the spread of fire, and the public health or safety

formed little or no ingredient in any law previous to that which is now in operation. This is "the Metropolitan Building Act, 1855," which extends to all places within the limits of the metropolis, as defined by an Act of the same session of Parliament, intitled "An Act for the better Local Management of the Metropolis." The Building Act applies to the regulation and supervision of buildings, the structure and thickness of walls, recesses and openings in walls, the timbers in walls, bresssumers, height and thickness of parapets and party walls, the construction of roofs, chimneys, and flues, close fires and pipes, projections, the size of rooms and warehouses, uniting buildings and otherwise. The supervision of these works is intrusted to district surveyors, to whom notice must be given previous to a building or alteration being commenced, who can compel compliance with the Act by an order of justices. Power is also given to protect dangerous structures, until application can be made to the owner to do so, and an order can be obtained for the purpose; on failure to comply with which, the commissioners are enabled to pull down and remove the same. This Act was amended by an act called "The Metropolitan Building Act (Amendment), 1860," which directed that the rules of the former Act, as to the cubical dimensions of buildings, should not apply to such as shall be beyond three miles from St. Paul's, and used for the manufacture of machinery and boilers of steam-vessels, provided such buildings shall consist of one floor only, and be constructed as therein mentioned. In districts beyond the limits of the metropolis, some provisions were made by the Act passed in 1847, for consolidating in one Act certain provisions usually contained in Acts for paving, draining, cleansing, lighting, and improving towns, which to some extent regulates buildings, more especially as to projections, setting back houses, ruinous and dangerous buildings, repairs, consumption of smoke in factories, and the erection and supervision of slaughterhouses. This Act is incorporated with the Local Government Act, 1858, and is operative in all places under the jurisdiction thereof, and the latter Act, in conjunction with the Public Health Act, 1848, applies to whitewashing or cleansing houses, and prohibits the erection of houses over sewers, and establishes authority over the construction and cleansing of drains.

MICAH, BOOK OF, *mi'-ka*.—One of the Books of the prophets in the Old Testament, bearing the name of its author, Micah, who, as we are told, prophesied during the reigns of Jotham, Ahaz, and Hezekiah, and was consequently a contemporary of Isaiah (B.C. 759–699). The book may be divided into three parts. It commences with a majestic exordium, in which is introduced a sublime theophany, the Lord descending from His dwelling-place to judge the nations of the earth, who approach to receive judgment; then follows a prophecy that Samaria shall fall, and that Judah also shall suffer injury and be carried into captivity, followed by a promise of the reunion of the whole people (chap. i. ii.) In the second part the destruction of Jerusalem is foretold, the return of the Jews from Babylon, and the glories of the future Zion, with the advent of the Messiah (iii. 5). The third part consists of a dialogue between the Lord and His people, in which He removes them for their sins, and threatens them with punishments, ending with

the promise of a return from their captivity. The style and ideas of Micah are not unlike those of Isaiah. He is clear and distinct, powerful and animated, rising in many cases to vehemence and sublimity. Micah is the only prophet that pointed out Bethlehem as the birthplace of the future Messiah.

MICHAELMAS, *mik'-l-mas*, is the feast of the archangel Michael, celebrated on the 29th of September. It is one of the regular periods in this country for settling rents.

MICHAELMAS TERM.—One of the four divisions of the year when the English law courts sit daily. It is from the 2nd to the 25th November.

MIDDLE TEMPLE. (See INNS OF COURT.)

MIDRASH, *mid'-rash* (Hebrew, *darash*, to explain the Scriptures).—The exposition of the Old Testament in use among the Jews for a period of about 1600 years after the Babylonish captivity.

MIDSHIPMAN, *mid'-ship-man*.—The lowest rank but one of combatant officers in the Royal Navy. The lowest rank is that of naval cadet, and after serving in this capacity for two years, the youth becomes a midshipman. His time is principally employed in study both in subjects suited to a gentleman's education, as well as in the special duties of a naval officer. He then rises to the position of sub-lieutenant, in which capacity he remains until he becomes older than 19 years, when he is eligible for a lieutenancy whenever a vacancy occurs or an opportunity is presented.

MIDSUMMER DAY, *mid-sum'-mer*.—The festival of St. John the Baptist, held on the 24th of June. It was long the custom in this country, to kindle fires at midnight on Midsummer Eve in honour of the summer solstice. It is also one of the four quarter-days for the payment of rent by tenants.

MILITARY SCHOOLS are establishments in which soldiers are instructed or youths educated for the army. The *soldier schools* of Prussia belong to the first of these classes, and are the most remarkable; they are established in every regiment or battalion, and in them the privates are taught the rudimentary branches of education, and sometimes singing. Military schools of a similar kind exist in the British, Austrian, and other European armies. Institutions of the second class, intended for the education of officers, have been in existence since the days of antiquity, and now form an indispensable part of the military system of all great nations. Louis XV. founded the first military school in France in 1751; it had 500 pupils, all of whom were young noblemen. In 1803, Bonaparte founded the celebrated school of St. Cyr, which still retains the principal features of its first organization. Before the Seven Years' War, the French had established artillery schools in every town where a regiment of that arm was garrisoned. In Prussia, the education of officers is provided for by high schools for each arm in every division of the army; and by the Royal Military School, founded by Frederick the Great, to which the most deserving young officers are admitted from the line. In this country, the military schools which hold the highest reputation are the Royal Military College at Sandhurst,

which comprises a cadets' college and a staff college (*see* CADET, MILITARY), and the Royal Military Academy at Woolwich, designed as an artillery and engineer school. The Addiscombe Military College was established by the East-India Company for the education of cadets for their own army. The best-known military academy in the North American States is that at West Point, founded in 1802. Cadets are admitted on the recommendation of members of Congress and the President. The number of cadets is limited to 250. The education and subsistence are gratuitous, but the graduates are expected to spend eight years in the public service.

MILITARY ASYLUM, ROYAL.—An establishment situated at Chelsea, but quite distinct from the Royal Hospital for soldiers. It provides for and educates about 500 boys—the orphans of British soldiers. The elder of these have a military organization, and are dressed in scarlet uniform. As the asylum was founded by the late Duke of York, it is often known as the Duke of York's School. Date of foundation, 1803.

MILITARY ORDERS.—Associations which arose in the Middle Ages, and which mingled the enthusiasm of religion with the love of arms. Thus the adherents were both monks, or partial monks and soldiers. The origin of some of these societies may be seen in the necessities for self-defence of the pilgrims to the Holy Land; others had their origin in the Crusades. The principal of these orders were the KNIGHTS OF ST. JOHN, the TEMPLARS, the KNIGHTS OF ALCANTARA and CALATRAVA in Spain (the chief object of these orders was to free their country from the Moors), the Savoyard Order of the KNIGHTS OF ST. MAURICE, the Flemish Order of ST. HUBERT, and the TEUTONIC KNIGHTS.

MILITARY SECRETARY.—A member of the staff of officers round a general in high command, whose duty it is to attend to the correspondence and confidential business of his chief. Some of the officers have subordinates to assist them, who are known as Assistant Military Secretaries.

MILITIA, *mil-ish'-ya* (Lat., *miles*, a soldier).—A term employed to distinguish from the regular forces a body of citizens who may be called out for a limited time, and embodied as soldiers on occasions of emergency. Under different names such an establishment exists in most European countries. In this country, after the Norman Conquest, the proprietors of land were compelled to contribute to the defence of the realm in the event of a threatened invasion, by providing men and arms in proportion to their estates. The troops were raised under the authority of "commissions of array," which were issued by the Crown. At first, the militia seem to have been liable to be marched to any part of the kingdom, when required; but in Edward the Third's reign it was decreed that no militia-man should be sent out of his county except in time of public danger. From the reign of Philip and Mary, the lords-lieutenants have had the charge, under the sovereign, of raising the militia in their various counties. After the celebrated dispute between Charles I. and the parliament, regarding the right to command the militia, it was decreed at the Restoration, that "the sole supreme government, command, and disposition of the militia,

and of all forces by sea and land, and of all forts and places of strength, is, and by the laws of England ever was, the undoubted right of his majesty (Charles II.) and his royal predecessors." In 1757, a Bill was passed by which the militia was reconstituted; and in 1802 the militia laws of England and Scotland were consolidated by 42nd Geo. III. c. 90 & 91. New regulations were passed in the 15th, 16th, 17th, 18th, & 19th Vict., which contain the law applicable to the militia at present. By the constitution of the militia in the United Kingdom, the sovereign appoints lords-lieutenant in Britain, and governors in Ireland, to each county or province, with power to call out and train the militia annually; and to appoint deputy-lieutenants or deputy-governors, and other officers, subject to the royal approval. All persons not labouring under bodily infirmity, and not specially excepted, are liable to be chosen by ballot as militia-men; and are compelled, under a £10 penalty, either to serve or provide a substitute. The persons excepted, are—peers of the realm; commissioned and non-commissioned officers and privates in the regular forces; half-pay officers in the army, navy, and marines; and commissioned officers who have served four years in the militia; members of corps of yeomanry or volunteers; seamen and persons doing duty at the royal docks, at the gun-wharfs, and powder-magazines; also resident members of the universities; clergymen of the Established Church; constables, articulated clerks, apprentices, and some others. The militia is trained and exercised twice a year, and during fourteen days each time; or once in a year, for twenty-eight days, at the discretion of the lord-lieutenant or their deputies.

MILL.—The proprietor of a water-mill is entitled by law to have the use of the river in undiminished force, and if any one impairs the force of the stream, the mill-owner has right to compensation.

MILLENNARIANS. (See MILLENNIUM.)

MILLENNIUM, *mil-len'-e-um* (Lat., *mille*, a thousand; *anni*, years), is a term applied by ecclesiastical writers to that period predicted in Scripture when Christ is to reign with His saints upon earth for the space of one thousand years (Rev. xx.) Many have held, from the earliest period of Christianity, that this is to be received literally, and have drawn up ideas of this earthly paradise. Those who hold this doctrine are commonly called millenarians. The ancient millenarians held that the city and temple of Jerusalem were to be rebuilt and splendidly adorned with gold and jewels, and that Christ, having come down from heaven, would reign there a thousand years with His saints, both those who were already dead and those who were still alive. The productions of nature were to be prodigiously increased, and everything in nature was to minister to their corporal delights. The Jews were to be restored to their own land, and raised to the first rank among the nations of the earth. Irenæus and others of the early fathers held these views; but they were warmly opposed by Origen and others. These maintained that the passages were to be understood figuratively as pointing to a period when Christianity should prevail in the world; and in consequence, physical and moral evil abated. It is now generally believed by Protestant communities that, after this happy period, Christ will appear and the

resurrection and judgment follow. (See FIFTH MONARCHY MEN.)

MILLERITES.—A religious sect, followers of one William Miller, an American, whose doctrines are much the same as those of the Millerians.

MIMANSA, *mim-an'-sa* (Sanskrit, investigation).—The name applied to two of the six parts into which the orthodox Hindu philosophy is divided.

MIND.—The general or comprehensive name applied to the intellectual (as distinguished from the bodily or mechanical) powers of man. (See EMOTION, INTELECT, METAPHYSICS, WILL, &c.)

MINIMS, *min'-ims* (Lat., *Fratres minimi*, the Least Brethren).—A very austere order of monks of the Romish Church, founded by St. Francis of Paula about the year 1500. They were called the Least Brethren as a token of still greater humility than the *Fratres Minores*, or Lesser Brethren, an order founded by St. Francis of Assisi.

MINISTER, *min'-is-ter* (Lat.), is properly a servant, or one who acts under another. In Politics, it is one who administers or directs a department of State. In this country, the term ministry is used as a collective noun for the heads of departments in the State, but the individual members are not so designated. The ministry is, in fact, a committee of the leading members of the two houses. It is nominated by the crown, but consists exclusively of statesmen whose opinions on the pressing questions of the time agree in the main with those of the majority of the House of Commons. Some eminent party leader, who has the confidence of the House of Commons, is authorized by the sovereign to form a ministry, the members of which he selects from his party, or from those favourable to his policy, he himself being the prime minister, and taking commonly the office of First Lord of the Treasury. Those of the ministers who are peers sit in the House of Lords, the others sit in the House of Commons, in virtue of being elected members, which is indispensable. When the House of Commons, by a decisive vote on a test question, shows that it no longer approves of the policy of the cabinet, the ministers are expected to resign and make way for a new cabinet. (See CABINET.) A foreign minister is one who represents his sovereign at a foreign court. (See DIPLOMACY, AMBASSADOR.) Minister, in religion, is applied to a pastor of a church, chapel, or meeting-house.

MINOR, *mi'-nor* (Lat., less), is a person under the age of 21—one who, by the laws of the country, is not arrived at the power of administering his own affairs, or the possession of his estate. (See INFANT.)

MINORITES, *min-or'-i-tes*.—An order of monks of the Romish Church. (See MINIMS.)

MINT, *mint* (Ang.-Sax., *mynet*, money or coin).—The name given to the place where the national money is coined. There is no accurate account of the manner in which coins were manufactured in this country at an early period; but it is generally supposed, from a passage in Cæsar, that the value of pieces of metal was determined only by their weight. It would appear, however, that the Britons, at the end of the Roman Conquest, had brass and silver coins. In the Anglo-Saxon and early Anglo-Norman mints,

the coins were made by the moneyers, who were the principal officers in those establishments. An officer called the reeve seems to have had some connection with the mint, or some authority over it. All the officers of the mint, after the Norman Conquest, appear to have been placed, in some degree, under the authority of the Court of Exchequer, as they assumed their respective stations and took the oath of office before the treasurer and barons of that court. During this period there were many mints beside the king's, and some of these remained in existence till a much later date. Money was struck by barons and bishops, especially in King Stephen's reign, and in some instances, the privilege of coining was granted to the larger monasteries. The moneyers of the Mint seem to have enjoyed important and exclusive privileges from a very early period. From the time of the second Henry, they seem to have been exempted from the payment of taxes. Although this seemed to be understood by all parties, it was not till the reign of Edward I. that these privileges were granted by charter. They were extended and added to by Edward III., Richard II., Edward IV., Henry VII., Henry VIII., Edward VI., and Mary. In the first year of Elizabeth's reign important privileges were secured to the workers of the Mint, many of which were enjoyed to a recent period; but all of which are now abolished. In 1799, under George III., the salary of the master and worker of the Royal Mint was fixed at £3,000 a year, in lieu of all fees, perquisites, &c.; and in 1837, under William IV., this sum was reduced to £2,000.

A government commission was at length appointed in 1848 to investigate the system of working at the Mint, and to report thereon. The result of the inquiry was a statement that the system was extremely complicated; and that the refiner, smelter, and moneyers received excessively large profits from their offices. These persons considered themselves a close corporate body with vested rights; and it was with great difficulty that the commissioners could obtain any information from them with regard to their profits or receipts. When Mr. Shiel was master of the Mint, in 1850, the government requested him to draw up a plan of reform based on a report of the commissioners. This he did; and upon his being appointed to the embassy at Florence, Sir John Herschel, as a man of science, instead of a mere political adherent, became master of the Mint. All the officials of the Mint are now paid regular salaries; the old plan of retaining fees or perquisites being abolished. By a certain agreement, moreover, all the gold and silver at the Mint is refined, between a fixed maximum and minimum, at the price of four shillings per pound for gold, and sixpence per pound for silver. Although the Mint, as it stands at the present day, is bound by law to convert into coin, at the public expense, any gold bullion that may be brought to it for that purpose, if quite, or of nearly standard fineness, nevertheless the Bank of England is practically the only real customer which the Mint has. This results from certain facilities in monetary matters which that great establishment possesses. In exchange for the bullion received, the Mint transmits gold coins to the Bank of England. In the case of silver, copper, and bronze coins, the method is different; the officers of the Mint purchase the metals required, convert them into coins, and exchange them for gold or notes to any purchaser. In 1869 the office of "Master of the Mint" was

abolished, and his duties added to those of the Chancellor of the Exchequer. Part of his work also was added to the duties of the deputy-master.

MIRACLE, *mir'-a-kel* (Lat., *miraculum*, from *miror*, I wonder).—May be defined to be a sensible deviation from the known laws of nature, by an act of the Supreme Being, or such a control of natural causes as bespeaks the intervention of a cause to which they are secondary. Hume defines it to be a transgression of a law of nature by a particular volition of the Deity, or by the interposition of some invisible agent. A miracle, then, has a supernatural origin; it supposes a contrast between the natural and supernatural, and manifests itself in such a way as to be subject to the scrutiny of the senses, and an object of human testimony. The true notion of a miracle is that it is inconsistent with, and cannot take place by virtue of, the laws of nature. If the raising of Lazarus from the dead took place agreeably to some law of nature, though unknown to us, such is inconsistent with our idea of a miracle. Hence, we cannot accept the definition of Spinoza, that "a miracle signifies any work the natural cause of which we cannot explain after the example of anything else to which we are accustomed; or, at least, he who writes about or relates the miracle cannot explain it." The miraculous, however, consists in being not *contra*-natural, but *extra*-natural; for, as Augustine says, "How is that against nature which comes from the will of God, since the will of such a great Creator is what makes the nature of everything? In miracles, God does nothing against nature; what is unaccustomed may appear to us to be against nature, but not so to God, who constituted nature." The objections that have been urged against miracles have respect either to the abstract possibility of miracles, or the violation of the laws of nature supposed to be involved; or, again, to the possibility of their proof, allowing them to be possible in the abstract. The former of these objections may be said to have acquired strength from the increased knowledge of the laws and operations of nature in modern times; but if it be conceded—and this is a question belonging to the much more extensive field of natural theology—that there is a Supreme Being by whom all things were made, and who established the laws of nature, it cannot be supposed that He has not also the power of suspending them. To deny the possibility of miracles is to deny the existence of a Supreme Being. Hume, while admitting the abstract possibility of miraculous intervention, takes the ground that testimony, through which alone we know of miracles, is often fallacious, while constant experience is in favour of a uniformity of nature. "Miracles," he says, "are incredible, because they are contrary to experience." If he means by experience the uniform experience of mankind, then he is merely begging the question; if he means their general experience, then his statement is true; but it is nothing to the purpose. Miracles are, from their very nature, of rare occurrence, and, being rare, are necessarily at variance with the general experience of mankind. If they were not, they would, as Paley remarks, be no miracles. It has also been urged that, by the mode in which Hume makes use of his positions, it would be impossible to prove many facts which are generally admitted, since there has been no experience reaching to such facts. The miracles recorded in

Scripture were wrought to introduce a new dispensation, or to confirm its introduction. The writers who mention them were eye-witnesses of the facts, which they affirm to have been performed publicly in attestation of the truth of their doctrines. The two are, indeed, so incorporated together that the one cannot be separated from the other; and if the miracles be not really performed, the doctrines cannot possibly be true. The repetition of miracles in proof of any particular doctrine would have impaired their character and validity, and if allowed at all, would have been perpetually necessary. Our Lord and His apostles reprehend the desire to behold miracles beyond the limit of their first and chief design, as a disposition of unhallowed curiosity and presumption. "It appears to me," says Dr. Pye Smith, "the most probable supposition, that miracles ceased *gradually*, as those persons died who had received these gifts from the apostles. The miracles displayed in the writings of the fathers are often of a character puerile and unworthy, and are deficient in some of the marks of credibility."

MISADVENTURE, *mis-ad-vent-ure* (Fr., *malaventure*).—Mischance or misfortune; something happening amiss. (See HOMICIDE.)

MISDEMEANOUR, *mis de-mean'-or* (Ang.-Nor.).—In Law, a term applied to all crimes and offences, whether of omission or commission, less than felony. The old distinction between a felony and a misdemeanour was that conviction for felony involved a forfeiture of property, a result not following a conviction for misdemeanour. Misdemeanours are of two kinds—either those which exist at common law, *malum in se*, or those created by statute. The former class includes whatever mischievously affects the person or property of another, openly outrages decency, disturbs public order, is injurious to the public morals, or a corrupt breach of official duty. Misdemeanours created by statute are of two kinds—viz., those that consist in the omission or commission of an act enjoined or forbidden by statute, but not specially made the subject of indictment, and hence punishable at common law. The ordinary punishment of a misdemeanour at common law is by fine or imprisonment (short of imprisonment for life), or by both fine and imprisonment, at the discretion of the court. By several statutes special modes of punishment are provided for particular offences.

MISERERE, *mis-e-re'-re* (Lat., *have mercy*).—A term in general applied to any sacred composition of a penitential character. More particularly in the Roman Catholic Church, it denotes a celebrated penitential hymn formed from the 51st Psalm, which, in the Vulgate (in which it is the 50th), begins with the words, "Miserere mei, Domine." It has been set to music by several great composers; but the most distinguished is that of Allegri, which is performed annually in the Sistine Chapel at Rome in Passion week. One of the evening services in Lent is styled the *Miserere*, that psalm being then sung.

MISERICORDIA, *mis-er-ko'-di-a* (Lat., *mercy*).—In Law, arbitrary imprisonment or punishment imposed on any person for an offence.

Misericordia Domini is the name given to the second Sunday after Easter, because the mass on that day begins with these words.

MISFEASANCE, *mis-fee'-sance*.—In Law, the doing of a positive wrong; *nonfeasance* meaning an omission to do some act which should have been done.

MISHNA, *mish'-na* (Heb., to learn).—A compilation of the judicial, political, civil, and religious code of the Jews, embodied in its present form by Jehudah Hannasi, a Jewish doctor of Tiberias, in 220, there having been some earlier incomplete collections. It explains and amplifies the written law of Moses. The work, written in Hebrew, is divided into six portions—1, *Secks*—agriculture; 2, *Feast—Sabbaths, festivals*, &c.; 3, *Women—marriage, divorce, vows*, &c.; 4, *Damages—civil and penal law, and ethics*; 5, *Sacred Things—sacrifices, description of the temple*, &c.; 6, *Purification—clean and unclean things and persons*. (See TALMUD.)

MISNOMER, *mis-no-mer* (old Fr., *mes*, wrong; *nommer*, to name).—A wrong name, or the using of one name for another. Misnomers in proceedings are now frequently amended by the court.

MISERISION, *mis-priz'-shun* (Fr., *meppris*, a neglect or contempt).—In Law, is generally understood to apply to all such high offences as are under the degree of capital, but closely bordering thereon; and it is said that a misprision is contained in every treason and felony whatsoever, and that if the crown so please, the offender may be proceeded against for the misprision only. Misprisions are generally divided into two sorts—negative, the concealment of something which ought to be revealed; and positive, the commission of something which ought not to be done. The latter, however, are now commonly described as contempt or high misdemeanours. The term misprision is also applied to mistakes arising from negligence or carelessness, as in writing or keeping records, or what are commonly termed clerical errors.

MISREPRESENTATION, *mis-rep'-sen-ta'-shun*.—In Law, a falsehood as to some material matter, uttered with intent to deceive. (See FRAUD.)

MISSAL, *mis'-sal* (Lat., *missale*).—In the Roman Catholic Church, a book containing the services of the mass for the various days of the year. In early times, the name *missa* was applied to the order of divine service. In the ancient church, the several parts of divine service were arranged in distinct books; as the *Sacramentarium*, containing the collects and the invariable portion of the communion service; *Lectiornarium*, the lessons from the Old and New Testaments; *Evangelistarium*, sections from the four Gospels. About the 11th or 12th century, it was found convenient generally to unite these books, and the combined volume was called the complete or plenary missal. Considerable deviations and corruptions having crept into the missal, the Council of Trent recommended its revision, which was commenced under Pius IV., and published under Pius V., in 1570. New revisions were made under Clement VIII., in 1604, and Urban VIII., in 1634. (See MASS.)

MISSION, *mis'-shun* (Lat., *missio*; from *mitto*, I send).—In connection with religion, missions are efforts made by the professors of a creed to propagate their doctrines in foreign countries. Missionary effort is, however, more

closely connected with Christianity than with any other creed. In obedience to the command of Christ (Matt. xxviii. 19, 20), and, in compliance with this command, the apostolic church began a series of missionary labours, such as the world had never seen before. Towards the close of the 1st century, flourishing churches had been established in the towns of Asia Minor, Greece, Italy, the islands of the Mediterranean, Northern Africa, and probably several other countries. In the 2nd and 3rd centuries, we find missionaries labouring successfully in Southern Germany, Gaul, Arabia, and Ethiopia. Under Constantine, Christianity became the state church, and the custom was gradually introduced of using coercive measures for the advancement of the Christian doctrines. Individual effort, however, was not wanting to carry on the work, and through the labours of St. Patrick in Ireland and St. Columba in Scotland, these two countries became celebrated nurseries of missionary enterprise. For the introduction of Christianity into Britain, see ENGLAND, CHURCH OF. Gallus, the apostle of Switzerland; Boniface, the apostle of the Germans; Ananias, the apostle of the North; and Frumentius, the apostle of the Ethiopians, were also distinguished. A new missionary zeal awoke in the Church after the foundation of the mendicant orders, each striving to excel the other in extending the territory of the Church. The discovery of America in 1492, and the circumnavigation of the Cape of Good Hope in 1497, opened up new and extensive fields for missionary labour. An extraordinary impulse was given by the establishment of the order of Jesuits. (See JESUITS.) Among these, none distinguished himself more for his missionary zeal and labours than Francis Xavier, the apostle of the Indies and Japan. In every accessible country—in India, China, Japan, Morocco, Abyssinia, Madagascar, Mexico, Chili, Peru—missionaries were to be found. In 1622 the Pope instituted a congregation of cardinals *de propagatione fidei*, and a few years later, a college was established for the propagation of the faith. During the early part of their existence, the Protestant churches did not engage largely in missionary labour, probably partly on account of the unsettled state of their affairs at home; but perhaps to some extent also from a feeling of opposition to whatever seemed to savour of the Church of Rome. The earliest attempt made by Protestants was the sending of fourteen Swiss missionaries to Brazil in 1555. Gustavus Vasa, of Sweden, and a number of the German princes, endeavoured to awake an interest in the missionary cause, but with little success. In 1622 the Dutch opened a church in the city of Batavia, and from thence ministers were sent to Amboyna. At Leyden, missionaries were educated under the celebrated Walaeus, and sent into the East, where thousands embraced Christianity. The settlement of New England by a company of nonconformists, was soon followed by the arrival of John Eliot, who laboured among the North-American Indians, having as his colleagues John Cotton, the Mayhews, and others. Cromwell conceived the idea of uniting all the Protestant churches of the world into one great society for the propagation of the Gospel in foreign parts; but though the scheme was not carried out, it turned the attention of England to the importance of missionary labour. In 1701, the "Society for the Propagation of the Gospel in Foreign Parts" was established under the sanction of William III. About

1705, Frederick of Denmark applied to the university of Halle for missionaries to preach the Gospel on the coast of Malabar, and Mesopotamia. Ziegenbalg and Plutche were despatched on this important mission. The Moravians have, however, exceeded all others since apostolic times in their zeal for missionary enterprise. They selected people the most low and abandoned, countries the most difficult and miserable, as the scenes of their labours: the Hottentots of Southern Africa; the Arrowack Indians, and the negroes of Surinam and Berbice; and the inhospitable regions of Greenland and Labrador. The missionaries supported themselves by mechanical or agricultural labour, and the converts were organized after the model of the church at home. (See MORAVIANS.) The Methodists have also done much good in the missionary field. The "Baptist Missionary Society" was founded in 1792, and has laboured more particularly in the East and West Indies and Western Africa. In 1795, the "London Missionary Society" was formed, consisting of Episcopalians, Presbyterians, and Independents. The islands of the Pacific were selected as the first missionary field, and twenty-nine young men, selected from a large number that had offered themselves, were sent out. Its principal stations are now in the South-Sea Islands, Southern Africa, India, China, British Guiana, Jamaica, Mauritius. The "Church Missionary Society" was founded in 1799, by a number of distinguished men belonging to the Evangelical school of the Established Church. The "Scottish Missionary Society" was organized at Edinburgh in 1796, and in 1822 the General Assembly of the Church of Scotland established their society. At the "Disruption" of 1843, the Free Church also established a missionary society. In 1810 the American Board of Commissioners for Foreign Missions was established for the support of four students preparing for missionary work, and shortly afterwards a Baptist Missionary Society, now the American Baptist Missionary Union, was formed in Boston. Since then the missionary work has been conducted with great zeal by the American churches. In America, as in England, there are Missionary Societies for home work, especially in connection with the great towns. It is impossible, within our limits, to convey even a faint idea of the nature and extent of missionary work throughout the world. We can but epitomize results; and in doing so, acknowledge our obligation to the labours of Mr. W. F. Bainbridge, who has recently (1882) published a valuable work on the subject.

Protestant Missions.—Leading Societies of the Protestant Churches, with the dates of establishment:—

British.—Society for Propagation of the Gospel, 1701; Baptist Missionary Society, 1792; London Missionary Society, 1795; Church Missionary Society, 1800; Wesleyan Missionary Society, 1817; Church of Scotland Missionary Society, 1824; Free Church of Scotland, 1843; United Presbyterian, 1877.

American.—American Board of Commissioners, 1810; Baptist Missionary Union, 1814; Methodist Episcopal Board, 1819; Protestant Episcopal Church, 1821; Presbyterian Board, 1832; Reformed and other Presbyterians, 1832 (first); Southern and other Baptists, 1845 (first); Methodist, South Hawaiian, and other Societies, 1825 (first).

European.—Moravian Missionary Society, 1731; Netherlands Missionary Society, 1797; Bible Missionary Society, 1816; Russian Missionary Society, 1823; Berlin Missionary Society, 1823; Leipzig Evangelical Lutheran Society, 1836; Norwegian Missionary Society, 1842; Hermannsburg Society and others, 1852 (first).

Work of the Protestant Societies.—Mr. Bainbridge

makes the following estimate, derived from very recently published official information.

Societies.	Missionaries.	Native Helpers.	Communi- cants.	Scholars.
English,	2,657	20,532	237,870	285,237
American,	1,395	5,498	156,447	80,395
Canadian,	29	103	1,043
Continental,	767	2,441	68,747	27,548
Others,	23	8,514

4,907 28,574 472,121 393,180
The annual income of the Societies amounts to about £1,500,000. There are 112 Protestant Foreign Medical Missions.

Roman Catholic Missions.—There are 25 principal missionary organizations in connection with the Roman Catholic Church:—Augustinians, Anglican Benedictines, Capuchins, Carmelites, Dominicans, Eudists, Franciscans, Jesuits, Missions Africaines, Missions Étrangères de Bruxelles, Missions Étrangères de Dublin, Missions Étrangères de Gènes, Missions Étrangères de Milan, Oblates of the Immaculate Conception, Oratories of England, Passionists, Patriarchate of Jerusalem, Priests of the Sacred Heart of Jesus, Mary or Pletus; Salvatoristes; Saint Esprit, St. Cœur de Marie; Propaganda, Propaganda de Foi, Spanish Benedictines.

Greek Church Mission.—Grand Society of the Russian Church.

MISTAKE, *mis-taik'* (Ang.-Sax.)—An error or misconception, an unintentional act or omission, arising from ignorance or imposture. The law carefully distinguishes between mistakes of law and mistakes of fact. As regards the former, it is an ancient and well-known maxim, *ignorantia legis neminem excusat* (ignorance of the law excuses no one). To this rule, however, there are some important qualifications; thus, if a person ignorant of a settled principle of law is induced to give up a right or a portion of his indisputable property, equity will step in and protect him. In general, too, equity will grant relief against an act done under a mistake or ignorance of a material fact, *i.e.*, a fact essential to the character of the act. In criminal cases, a mistake of fact is an excuse; as where a man intending to do a lawful act, does one which is not lawful; but it must be an ignorance or mistake of fact, and not an error in point of law.

MITHRAS, FESTIVALS AND MYSTERIES OF, *mith'-ras* (Sanskrit, *mitram*, a friend).—In the ancient mythology of Persia, this was the name given to the *Ized* or *Yazata*, the Genius of the Sun and the Ruler of the Universe, who was represented as protecting and supporting man in this life, and guarding the soul in the next world from the attacks of evil spirits. In ancient monuments this divinity is represented as a youth in Phrygian dress, kneeling on an ox, stabbing it in the neck. Several figures of this kind are preserved in the British Museum. In other effigies, Mithras appears with the head of a lion. The worship of Mithras was at an early period adopted in Rome, and mysteries and festivals were celebrated. There were seven degrees to be passed through. In Persia, festivals were celebrated at a date corresponding to our Christmas, and there is some reason to believe that in some parts of Syria and Asia Minor human sacrifices sometimes accompanied the celebrations.

MITTIMUS, *mit'-ti-mus* (Lat., we send).—In Law, a precept or command in writing addressed by competent judicial authority, directing certain acts, such as the receipt or discharge of prisoners, or the removal of records to be performed.

MIXED MARRIAGES.—The canon law forbade marriages between Christians and non-Christians, or heretics; but after the Reformation, when the Protestants had become so important, politically and socially, the Popes frequently granted dispensations, permitting marriages between Catholics and Protestants, but always on the condition that children, issue of the marriage, should be educated in the Roman Catholic faith. At a later period, however, this stipulation was not strictly insisted on; and in the 18th century, the Papacy recognized the validity of mixed marriages, even when celebrated without religious rites. In several countries of Europe, marriages between persons of different religions have either been prohibited or placed under stringent restrictions. The law, however, is frequently evaded. In Austria and some of the German States, where the law says that a Catholic priest or a Protestant pastor (according to the Church recognized by the particular State) shall officiate, his presence as a witness, wherever the marriage is celebrated, is accepted as satisfactory. In most of the German States, marriages between Christians and Jews or Mohammedans are prohibited by law, but there is considerable laxity in enforcing it. In Russia, marriages between members of the Greek and Roman communion and heretics are interdicted; and persons belonging to the orthodox Greek Church must not marry Greek sectaries. In the case of a marriage between an orthodox Russian and a Protestant or Catholic, the benediction must be given in the Greek Church, and the children baptized in the Greek communion. In such cases there are frequently two ceremonies, so as to satisfy each party. When the Duke of Edinburgh married the Grand Duchess Maria of Russia in 1874, there was first a ceremony in accordance with the rites of the Greek Church, and immediately afterwards another ceremony in the chapel of the British embassy, when the marriage ceremony of the Church of England was performed. The only restrictions referring to mixed marriages in the United Kingdom are in force in Ireland. (See MARRIAGE.)

MOABITE STONE, *mo'-ab-ite*.—A large stone, discovered in 1870, at Dibon, the ancient Dibon. It is inscribed with Moabitish characters; and not only confirms and illustrates the narrative of the Second Book of Kings, but gives even more historical information. It appears to be a contemporary record, from the Moabite point of view, of the rebellion of King Mesha against Ahaziah (2 Kings iii. 4-27). The inscription gives the names of the towns rebuilt or fortified by the Moabite king, of altars raised to Chemosh, the national idol, and of various works of utility undertaken. The proper names given on the stone are in nearly every case identical with those found in the Bible.

MODALITY, *mo dal'-e-te*.—In Philosophy, a term used to denote the most general points of view under which the different objects of thought present themselves to the mind. These are possibility and impossibility, existence and non-existence, necessity or contingency.

MODERADOS, *mod-e-ra'-doze*.—A modern political party in Spain, headed by Narvaez, Duke of Valencia, who opposed the Progressistas (or Advanced Party), the leaders of which were Espartero and Prim.

MODERATOR, *mod'-e-rai-tor*.—The name given to the president, for the time being, of the General Assembly of the Church of Scotland, and also of the Free Church. The Moderator is chosen annually. This is also the name of two officials of the University of Cambridge, appointed annually to perform certain duties. (See CAMBRIDGE UNIVERSITY.)

MODUS, or **MODUS DECIMANDI**, *mo'-dus des-e-man'-di* (Lat., mode of tithing).—In Law, is a term applied to any customary mode of tithing, arising from immemorial usage, and differing from the payment of one-tenth of the annual increase.

MOGUL, THE GREAT, *mogul*.—The title by which the chief of the Mogul or Mongul Empire, founded in Hindostan in 1526, by Sultan Baber, a descendant of Tamerlane, was known in Europe. The last of this title was Shah Allum, who died in 1806, when his great possessions fell chiefly in the hands of the East-India Company.

MOHAMMEDANISM, or **MUHAMMADANISM**, *mo-ham'-me-dan-i-m*.—The name commonly given, in Christian countries, to the religion established by Mohammed (or Mahomet, the more familiar form of the name), born at Mecca, in August, A.D. 570; died at Medina, 8th June, 632. Mohammedans call themselves by the name of Moslem, and their creed, Islam, which means "full submission to God." The doctrines of Mohammedanism may, in large measure, be traced to the national religion of the Arabs and to those forms of Judaism and Christianity which existed in Arabia at the time of the prophet. Opinions respecting Mohammed as a man have been much modified by the researches of recent writers, who regard him as partially an enthusiast, though not without an admixture of lower motives. Professor Monier Williams, in a paper in *The Nineteenth Century* (July, 1882), has probably given a just estimate of his character:—"All that can be affirmed with certainty is, that, like other human beings, he had two natures, and that these did not dominate together. Probably his lower self had scarcely power to make its presence felt during the first effervescence of his religious and patriotic feelings. It could seldom, so to speak, rear its head, borne down as it was by the resistless impulse of higher aspirations and a burning enthusiasm directed towards noble ends. It was not until these forces had exhausted themselves in achieving victory over external enemies, that subtle internal forces, ambitious designs, love of power, revengeful feelings, sensual inclinations, began to creep stealthily from their hiding-places, and struggle doggedly for the mastery. It is certain that, if any admirer of the Arabian prophet's character wishes to depict it in its most favourable colours, he will be wise to confine himself to the period of his Mecca career." The same writer says: "Probably the peacefulness of his end was due to Mohammed's having maintained, in his own mind, even to the last moment, a general belief in the truth of his own mission, notwithstanding the inconsistencies, infirmities, occasional cruel acts, and time-serving deceits which disfigured his later career, and of which he could not have been wholly unconscious. For Mohammed never professed to be anything but a sinful man; never claimed to be exempt from the feelings and infirmities of humanity." The

doctrines of Mohammedanism are contained in the Koran (see KORAN); but there are other guides to a Musselman's faith and practices—books entitled Sunna, Ijma, and Kias. The Sunna contains the prophet's own sayings and precepts, which, though regarded as inspired, are distinguished from the direct commands of God. Ijma is a collection of judgments on controverted points, delivered by Mohammed's companions and leading teachers of the law. Kias is the employment of deduction or inference from a direct precept to establish any rule of conduct. Professor Williams, to whose learned and lucid essay we acknowledge our indebtedness, says, "Mohammed strove to unite Arabs, Jews, and Christians in one homogeneous Catholic Church—to merge all the faiths in the world in the simple monotheistic creed which, according to them, had always existed, and would never cease to exist. For the accomplishment of this grand design he not only denounced idolatry, but set himself to abolish all priestcraft, sacerdotalism, ritualism, symbolism, ecclesiastical organization, caste—everything that interposed a barrier between the direct communion of man with his Creator—everything that implied the religious superiority of one human being over another." To forward this great end, Mohammed appears to have scrupled little as to the means employed, inventing miraculous interpositions, communications, and visions—perhaps partially believing in them, so strangely compound was his nature. He asserted that the true faith had been originally revealed to Abraham, and transmitted through Ishmael to the Arabs. The paramount idea of the Mohammedan faith is the unity of God, "the ever-living, the ever-subsisting;" Christians, or Trinitarians, are designated as "those who give God a partner." All the prophets sinned, except Jesus, who had the power of working miracles, and was of miraculous birth, a distinction which Mohammed never claimed for himself. Mohammedanism is commonly regarded as half way between paganism and Christianity; but it approaches much more nearly the latter than the former, and must be viewed as a great improvement upon the religions which it supplanted. Regarding the connection between Mohammedanism, Judaism, and Christianity, we quote from Dean Milman's "Latin Christianity." "The creation," he says, "as affirmed in Islam, was strictly Biblical; the history of man was that of the Old Testament recognized in the New, though not without a large admixture of Jewish legend. The forefathers of the Mohammedan, as of the Jewish and Christian religions, were Adam, Noah, Abraham; and to the old prophets of God, among whom were included Moses and Jesus, were only added two local prophets sent on special missions to certain of the Arab tribes, to Ad and to Tharud. Even Mohammedan fable has none of the inventive originality of fiction. There is scarcely a legend which is not either from the Talmud, or rather the source of most of the Talmud, the religious tradition of the Jews, or the spurious (not the genuine) Gospels of Christianity. The last day, the judgment, the resurrection, hell, and paradise, though invested in a circumstantiality of detail, much of it foreign, so far as we can judge, to the Pharisaic notions of our Saviour's day, and singularly contrasting with the modest and less material images of the New Testament, were already parts of a common creed. The Koran

has scarcely surpassed the grosser notions of another life which were already received by the Talmudic Jews and the Judaizing Christians—the Chiliasm of the early ages. It only adapted this materialism to the fears and hopes of a Bedouin and a polygamous people. It may be doubted whether it goes beyond the terrific imaginations of the Talmudists in those minute and particular accounts of hell-fire which glare in all its pages. In its paradise it dwells on that most exquisite luxury to a wanderer in the desert—perennial rivers of cool, pure water, and it adds a haven to the joys of the blessed." Good and bad angels and genii (*Jinn*) are prominent in the Mohammedan theology. The angels have pure and subtle bodies, formed of particles of fire, and were created before man. They separate the soul from the body at death, conduct it to Paradise, convey warnings and revelations to the living, and after death, two angels, Nakor, and Muakir, pass a preliminary judgment on the soul; and at the day of judgment the throne of the Almighty will be borne up by angels. The greatest of the angels is Gabriel, or Jibrail, who acts as an intercessor for believers, is designated as the "spirit of holiness," and assumed human shape when he appeared to Mary and to Mohammed. Iblis (a name probably corrupted from the Greek Diabolos) is the Devil, who was condemned to eternal punishment for refusing to worship Adam, at the command of Allah (God), but was relieved until the resurrection day, and employed himself in inciting men to sin and disbelief. He presides over the bad angels, nineteen of whom receive and torture the wicked. The genii occupy a lower position than angels, and are divided into two classes, good and bad. They roam about, working wonders among men. Many signs are to precede the day of judgment. The sun is to rise in the west, and Jesus Christ is to descend on the Mosque at Damascus. The frequent admissions of the pre-eminent attributes of Christ is a striking feature in the teaching of Mohammed. Paradise is divided into seven stages or regions of happiness; and hell also has seven divisions. A bridge, Sirat, finer than the edge of a sword, stretches over hell, and over this bridge believers have to pass, the latter falling into hell in the attempt. But sinners will not be punished eternally. In Paradise the attractions offered are generally of a very sensual kind; but it should be added that the chief delight is the presence of God. Hell is described as a reign of fire; the wicked are clothed in vestments of flame, shod with shoes of fire, drink scalding water, eat filth, and are beaten with iron rods. Mohammedanism is essentially a religion of works, the performance of which affords the only means of laying up a store of merit, and gaining admission to Paradise. The chief practical duties are a confession of faith by repetition of the short creed, prayer, fasting, almsgiving, and pilgrimage to Mecca. Prayer (always in Arabic) is to be made five times a day, and ought to be preceded by bodily ablutions. It consists in repeating portions of the Koran, and ascribing praises to the Almighty, accompanied by prescribed postures, prostrations, and prostrations. On Fridays, prayers must be said publicly in the mosques. Fasting is enjoined while the sun is above the horizon every day in the month Ramadan. Alms are said to be "given to God," which deliver from hell, and secure happiness in Paradise. The care of indigent persons, the insane and sick, is a

paramount duty. Consideration for the lower animals is also inculcated, and, alone of all religious teachers, Mohammed taught that they will be admitted to a future state of existence. Pilgrimage to Mecca once in a lifetime is enjoined on all who have sufficient health of body, and means given to enable them to bear the journey. The reverence for the old temple at Mecca (see KAABA), perhaps induced Mohammed to enjoin the performance of certain ceremonies of superstition by the pilgrims. In deference also to existing practices, although he at first adopted baptism as an initiatory rite, he afterwards substituted circumcision, but that rite being already generally practised, no directions for its performance were needed and none are given in the Koran. The teacher found polygamy and concubinage exist, and "he was unable to conceive a state of society in which they would cease to exist;" but he enforced regulations which, to some extent, mitigated the evils. He limited the number of wives to four, but permitted concubinage. He denounced infanticide, prohibited the use of intoxicating drinks, divination, and gambling, and so far advanced the cause of morality, among his followers. Occasionally a very elevated morality is inculcated by the Koran, as in the following passage:—"There is no piety in turning your face towards the east or the west, but he is pious who believeth in God, and the last day, and the angels, and the Scriptures, and the prophets; who, for the love of God, disburseth his wealth to his kindred, and to the orphans, and to the needy, and to the wayfarer, and to those who ask, and for ransom; who observeth prayer, and payeth the legal alms, and who is one of those who are faithful to their engagements, and patient under ills and hardships, and in time of trouble; those who are just, and these are they who fear God."

Sectarian Divisions.—Tradition asserts that Mohammed predicted that 73 sects would arise after his death, only one of which would have the right to be called orthodox, while every one of the remainder would claim to be the only true form of Islam. The three main divisions now existing are the *Sunnis*, *Shi'ahs*, and *Wahabis*. The Sunnis consider themselves to be the only orthodox followers of the prophet, on the ground that they accepted Abubakr, Omar, and Othman (the two former Mohammed's fathers-in-law, and the third his son-in-law), as rightful Khalifs, or successors, of the prophet. There are, however, four minor divisions among the Sunnis. The Shi'ahs declare that the Khalifate ought to have passed at once to Ali, the prophet's cousin and husband of his daughter Fatimah. The sect did not assume considerable proportions till about 350 years after Mohammed's death. The Shi'ahs acknowledge only twelve true successors of the prophet, whom they call Imams, or religious leaders. The first was Ali, and the twelfth Abu-Kasim or Mahdi, "the guided," who disappeared in a mysterious manner in the 255th year of the Mohammedan era, but will reappear at the end of the world. There are 32 minor sects among the Shi'ahs, some of whom exalt Ali above Mohammed, one sect holding him to be an incarnation of the Deity. Some of the ceremonies are observed much more strictly by the Shi'ahs than by the Sunnis, who claim to be the only orthodox Moslems. The Wahabis are a modern sect, founded about 150 years ago, and professing an endeavour to restore the purity of Islam; but they are fanatical, and ready to undertake war against infidels, The Turks, Egyptians, Arabs, and the Indian Mohammedans are mostly Sunnis; the Persians are Shi'ahs; and the inhabitants of Eastern Arabia generally Wahabis. In India, many practices and superstitious observances have been adopted from Hindooism and Buddhism. Poor Mohammedans come to Hindoo shrines to obtain relief from disease; and at Dehli relics of Mohammed are supposed to be preserved and are greatly revered. Indian Mohammedans are generally divided into four classes—the Sayyids, or

Syeds, supposed to be descended from the prophet and placed in the front rank; the Moguls, Pathans, and Shukhs. The Indian Moslems pay reverence to the memory of holy men, or Pirs, whose tombs are visited by pilgrims from all parts of India. In Central Africa, there are immense numbers who profess Mohammedanism, but of a very degraded kind.

Progress of Mohammedanism.—On its first promulgation, the doctrines of Islam spread with amazing rapidity; and in twelve years the whole of Arabia had embraced that faith. The extension of the power of the Arabesoon carried this religion into other countries; and Syria, Persia, and Northern Africa were compelled to submit to their power and to receive their faith. At the beginning of the 8th century they crossed over into Spain, one province after another was speedily subdued, and for nearly 800 years the Saracens retained a dominion in that country. In Asia they advanced eastward to India and China; and in the former country they founded vast empires on the shores of the Indus and Ganges, which for a long time were strongholds of Islamism; but in the latter country their progress was soon stayed. Fresh energy was infused into the Moslem communities by the accession of the Seljuk Turks, both they and their successors, the Osmanlis, voluntarily receiving Islamism from the very people they had conquered. The Ottoman rulers gradually undermined the Byzantine empire, which at length fell with the taking of Constantinople in 1453. The power of the Islam was now at its height; and for a time the Turks were the terror of Italy, Hungary, and Germany. Their power, however, soon began to fail. Sicily was lost to them; and in 1492 their last strongholds in Spain were taken. It is estimated that the number of professed Mohammedans of all sects throughout the world is about 130,000,000.

MOLINISTS, mo-le'-nis-ta.—The name of a sect in the Roman Catholic Church, which adopted the opinions of Molina, a Spanish Jesuit and professor of theology at Evora, in Portugal (1535—1600). He maintained the hypothesis that the decree of predestination to eternal glory was founded upon a previous knowledge and consideration of the merits of the elect; that the grace from the operation of which those merits are derived is not efficacious by its own intrinsic power only, but also by the consent of its own will, and because it is administered in those circumstances in which the Deity, by that branch of His knowledge which is called *scientia media*, foresees that it will be efficacious. This doctrine was violently assailed, especially by the Dominicans; and at length Pope Clement VIII. appointed a congregation to investigate the matter. Opinion was so much divided upon the subject, that the pope decided that both doctrines (that of Molina and that of his opponents) might safely be taught in the Church. The Molinists, however, soon disappeared, as other views involving the question of predestination and grace were advanced. (See JANSENISTS.)

MOLLAH, mol'-la.—The name of a spiritual and judicial officer among the Turks, superior to the eadls or inferior judges, and having civil and criminal jurisdiction over towns or large districts. Over the mollahs are the kadhis kars, or supreme judges of the empire, who sit in the divan.

"MOLLY MAGUIRES."—The name assumed by a secret society, mostly composed of Irishmen employed in the mines of Pennsylvania, the purpose being to procure the assassination of obnoxious persons. After existing for several years, and the perpetration of many murders, some of the leaders were brought to justice, and the society broke up.

MOLOCH, MOLECH, or MELCHOM, mo'-lo.—The national god of the Ammonites,

and is frequently mentioned in Scripture. It is highly probable that the Hebrews were addicted to the worship of this deity before they came out of Egypt; and Moses in several places forbids them, under pain of death, to dedicate their children to Moloch. Solomon, seduced by his foreign wives, built a high place for him; and Manasseh imitated his impurity by making his son pass through the fire to Moloch. The idolatry continued from that time, chiefly in the valley of Tophet and Hinnom, till the captivity, after which all traces of this worship disappear. There are various opinions as to what is meant by "censing to pass through the fire." Some think that the children leaped over a fire sacred to the idol; others that they passed between two fires; and others that they were really burned in the fire by way of sacrifice to the god. The last opinion seems the most probable, and to accord most with portions of Scripture in which it is mentioned. According to some accounts, the image of the god was of brass, seated on a throne of the same metal, and with arms extended, as if to embrace some one. When sacrifices were offered to him, the image was heated within, and the miserable victim was placed within the arms, its cries being drowned by a great noise of drums and other instruments. The place where these sacrifices were offered was so abhorrent to the minds of the later Jews that they employed its name to designate the place of future torment. Moloch is sometimes identified with the Phœnician god Baal.

MONACHISM, mon'-a-kizm (Lat., *monachus*, a monk, from Gr., *monachos*, solitary). A term used to denote the monastic system of life which has prevailed in the Church from a very early period. Some Protestant historians are of opinion that monachism was originally foreign to primitive Christianity, being adopted from the Alexandrian philosophy; others, again, hold that its rise was owing to circumstances within the Church itself; particularly the hardships to which it was exposed, by which many of the believers were driven from their homes and compelled to seek for safety in desert places. Long before the rise of Christian monachism, the Essenes in Palestine, and the Jewish sect of the Therapeutæ in Egypt, seem to have formed regular communities of ascetics.

History.—Christian monachism may be regarded as having its first beginning in the 2nd century, when we find some ascetics who lived in celibacy and voluntary poverty, and shunned intercourse with the world. They, however, lived isolated, and not in communities. The father of monachism proper is generally agreed to have been Antony, who, in the year 305, collected a number of ascetics into an associated community in Egypt, and regulated their mode of living by fixed rules. His disciple Hilarion soon after undertook the same thing in Palestine and Syria. Almost at the same time, Aones, or Eugenius, with his associates Gaddanes and Azyzus, introduced this mode of life into Mesopotamia and the neighbouring countries. These were imitated by many others with so much success, that in a short time all the East swarmed with persons who, abandoning the occupations and conveniences of life, and all intercourse with society, pitched away amidst various hardships, hunger, and suffering, in order to maintain a closer communion with God and His angels, ignoring the fact that they were living in opposition to the true spirit of Christianity, which enjoins Christians to live for the benefit of others, and to let their light so shine before the world that others seeing their good works may glorify God. From the East, this austere discipline passed into the West, and first into Italy and the adjacent islands; but who conveyed it thither is uncertain. Afterwards, St. Martin,

the celebrated bishop of Tours, erected some monasteries in Gaul, and by his example and discourses produced such an effect, that two thousand monks are said to have assembled at his funeral. This way of life gradually extended over the other countries of Europe. The ancient monks were not like the modern, distinguished into orders, but took their names from the places which they inhabited, or were distinguished by their different modes of living; as—1, the Anchores, who lived alone in private cells in the wilderness; 2, the Canobites, who lived in community, several of them in the same house, under the direction of a superior; and 3, the Sarabites, or strolling monks, who had no fixed rule or residence. The first and last of these came gradually to be absorbed in the regular Canobite system, which was principally regarded by the Church, and most under its direction. Originally, monks were no more than laymen, whose office, says Jerome, "is not to teach but to mourn." Not only were they prohibited the priesthood, but priests were expressly prohibited from becoming monks. Pope Siricius was the first who called them to the clerical, on the occasion of a great scarcity of priests which the Church was then supposed to labour under; and since that time the priesthood has been usually united to the monastic profession. The manner of admission to the monastic life was usually by some change of habit or dress, not to signify any religious mystery, but only to express their gravity and contempt of the world. No solemn vow or profession was required at their admission, but they underwent triennial probation, during which time they were inured to the exercises of the monastic life. If after that time they chose to continue the same exercises, they were without further ceremony admitted into the community. They were also at liberty to return at any time to secular life. Nor was any solemn vow of poverty required, though it was usual for men voluntarily to dispose of their estates for charitable purposes before they entered into a community. The monasteries were commonly divided into several parts, and proper officers appointed over each of them. Over every ten monks was a *decanus*, or dean, and over every hundred a *centenarius*. Above these were the *paires*, or fathers of the monasteries, called also the abbots or presidents. The business of the dean was to exact every man's daily task, and to bring it to the *economus*, or steward, who gave a monthly account of it to the father or abbot, for, as the monasteries at that time had no standing revenues, all the monks were obliged to exercise themselves in bodily labour, so as to maintain themselves and not be burdensome to others. The monk that did not work was viewed as no better than a roving defrauder. Towards the close of the 5th century, the monks, who had formerly lived only for themselves in solitary retreats, and had never thought of assuming any rank in the Church, came to be gradually endowed with such honourable privileges and wealth that they soon found themselves to be in a position of great power and influence. The fame of their piety and sanctity was very great, and the passion of erecting edifices and convents for their benefit, was carried beyond all bounds. A new epoch in the history of western monachism began with Benedict of Nursia, whose rule (550) came gradually into general use, transforming the previously independent communities into an hierarchical religious order. It became the bond of union for most of the western convents; but the many favours received from Church, State, and individuals, facilitated the growth of moral corruption to a great extent, and called forth repeated attempts at reform; so that for many centuries the history of monachism presents a continued struggle of reformers with the laxity, indifference, or immorality obtaining in a greater or lesser number of the convents of their times. Among the evilers of these reformers were Benedict of Adiana, who died 821, and whose commentary on the rule of St. Benedict enjoyed a high character; Bennet, who became abbot of Cluny 910, and laid the foundation of the congregation of Cluny; Remondus, who founded the congregation of Camaldoli in 1032; and Qualbert that of Vallombrosa in 1036. Towards the end of the 11th century arose the Cistercian and Carthusian orders, the order of St. Anthony, the Hospitallers, &c. The warlike spirit of the times brought about a union of the monastic with the military life, and hence arose the various military

orders; as the Knights of St. John, the Templars, the Teutonic Knights, the orders of St. Jago, (Alatrava, Alcantara, &c.) The large increase of orders called forth much opposition, and the Council of Lateran, in 1215, passed a resolution that no new order should be established. Notwithstanding this prohibition, there almost immediately arose an entirely new class of orders—the mendicants, including the Franciscans, Dominicans, Carmelites, Augustinians, and others, who inaugurated a new era in the history of western monachism. They directed their attention more particularly to the lower orders of society, among whom they became very popular. They spread with great rapidity, and had many important privileges conferred on them by the popes. Several of their members filled the highest offices in the Church, even to the papal chair. In the 14th century, a general degeneracy of monachism commenced, until at length the name of monk came to be almost synonymous with ignorance, rudeness, and every species of immorality. The dawn of the Reformation in the 16th century had an important influence on this state of things, and strong efforts were made to enforce a more strict observance of the rules of the respective orders. The Council of Trent passed a number of regulations for the internal management of religious houses. Several new orders were formed upon improved rules, the most famous of which is that of the Jesuits, who were, more than any other order, under the absolute power of the Pope. Since the Reformation, however, monachism cannot be said to have manifested any inherent vitality or power; and with the advance of modern civilization its highest meaning and only conservative use are gone. (See AUGUSTINIANS, BENEDICTINES, DOMINICANS, FRANCISCANS, &c.)

In Metaphysics, the word, according to Leibnitz, is used to denote a simple substance, having no parts, a compound substance being an aggregate of simple substances or monads. The basis of the monadic theory lies in the various philosophical systems of Democritus, Zeno, and Epicurus. Leibnitz was the first to arrange the different theories in a system.

MONARCHIANS, *mo nar'-ke-anz*.—A sect of Christians that arose about the end of the 3rd century, and insisted upon the unity or oneness of God, as opposed to the commonly received doctrine of three persons in the Godhead. They differed greatly from each other on other points; more particularly regarding the nature of Christ: some of them held that he was God Himself; others that He was a power or manifestation of the Deity, but that He did not exist as a distinct person before His incarnation; whilst others regarded Him only as a mere man.

MONARCHY, *mon'-ar-ke* (Gr., *monos*, alone; and *arche*, government).—A term which literally means that form of government in which the sovereign power is vested in the hands of a single person. In some monarchies, the will of the sovereign is uncontrollable; in others, his authority is restrained by laws, and assisted by a Parliament. The former are termed despotic or absolute, the latter constitutional or limited monarchies. Some monarchies are hereditary, descending regularly from father to son; others are elective, where, on the death of a monarch, his successor is appointed by election, as was the case in Poland before its dismemberment.

MONASTERY, *mon'-as-ter-e* (Fr., *monastère*, Low Lat., *monasterium*).—A religious house built for the reception of religious persons, whether it be abbey, priory, nunnery, or the like. More properly, however, it is applied only to the houses of monks, mendicant friars, and nuns, the rest being called religious houses. (See MONACHISM.)

Monasteries destroyed at the Reformation.—The following calculation has been made of the number

and wealth of the religious houses in England, dismantled and scattered, from first to last, at the time of the Reformation, so far as any evidence exists:—Lesser Monasteries, of which we have the valuation, 374; Greater Monasteries, 186; belonging to the Hospitallers, 48; Colleges, 90; Hospitals, 120; Chantries and Free Chapels, 3374—total, 3,383; besides the friars' houses, and those suppressed by Wolsey, and many small houses of which we have no particular account. The clear yearly revenue of the several houses at the time of their dissolution, so far as we have any account, seems to have been as follows:—Of the greater monasteries, £104,910 13s. 3d.; of the lesser monasteries, of which we have the valuation, £29,702 18s. 10d.; Knights Hospitallers' head house in London, £2,385 12s. 8d.; twenty-eight of their houses in the country, £3,026 9s. 5d.; Friars' houses, of which we have the valuation, £761 2s.—total, £140,784 19s. 2d. Taking into account the valuation of money at the time—at least six times as much as the present, and considering that the estimate of land is generally supposed to have been much under the real value, and making some allowance for omissions, the entire revenues of these houses must have been enormous.

MONK. (See MONASTICISM.)

MONOPHYSITES, *mo-nof'-e-sites* (Gr., *monos*, and *physis*, nature).—A sect of Christians that arose in the 5th century, and maintained that there was only one nature in Christ, in opposition to the decision of the Council of Chalcedon (451), that Christ had two natures. Eutyches, the leader of this sect, maintained that everything human in the nature of Christ was absorbed by His divinity, and became one with it. This doctrine led to violent disputes in the Church. In Egypt, Palestine, and other parts of the East, the Monophysite doctrine met with many adherents. In Antioch, a leader of the Monophysites was raised to the patriarchal dignity. They were encouraged by the emperor Anastasius; but Justin I., Justinian, and others, adopted severe measures against them. They were also divided among themselves—the Severians maintaining the corruptibility, the Julianists the incorruptibility, of the body of Christ. By the zeal of Jacob Baradaeus, bishop of Edessa (541), they were permanently organized in Syria and Mesopotamia, with a patriarch at their head; and from him they are frequently termed Jacobites. The efforts of Baradaeus were ably seconded in Egypt and the adjacent countries by Theodosius, bishop of Alexandria. In the present day, the Monophysites are divided into two sections—the Asiatic and African—the head of the former being the patriarch of Antioch, of the latter the patriarch of Alexandria. The former are subdivided into Jacobites and Armenians, the latter into the Coptic and Abyssinian churches.

MONROE DOCTRINE.—In President Monroe's message to the Congress of the United States in December, 1823, he expressed his determination not to permit any European power to interfere with the concerns of the independent States of North or South America. This declaration has been accepted as a permanent feature of the policy of the United States.

MONOTHEISM, *mo-no-the'-ism* (Gr., *monos*, and *theos*, God).—A belief in, and worship of, only one God, in opposition to polytheism, which acknowledges a plurality of gods.

MONOTHELITES, *mo-noth'-e-lites* (Gr., *monos*, and *thelema*, from *thele*, I will).—A sect that arose in the early Church, which, while accepting the doctrine of the two natures in the

person of Christ, maintained that there was but one manifestation of will. They arose in the early part of the 7th century, and being for a time nurtured and protected by imperial approbation, which thus sought to unite the opposing parties of the orthodox and the Monophysites, they spread very rapidly. The first Council of Lateran under Pope Martin I. (649) condemned the Monothelites; and in 1680 the sixth (Ecumenical) Council at Constantinople affirmed two wills in Christ, and excommunicated Macarius, patriarch of Constantinople, and other leaders of the party. After a time, being much reduced by persecution, they retired to the neighbourhood of Mount Libanus, where they maintained themselves till the 13th century, when they abjured their opinions, and were received into the Roman Catholic Church.

MONSTRANCE, *mon'-stranz*.—A vessel used in Roman Catholic churches, to present the consecrated host to the worship of the people during processions.

MONTAGNARDS, *mon'-tan-yurds*. (See MOUNTAIN.)

MONTANISTS, *mon'-tan-ists*.—A religious sect that sprang up towards the end of the 2nd century, and were called after their leader Montanus, a Phrygian. He pretended to inspiration, and gave out that the Holy Ghost had instructed him in several points which had not been revealed to the apostles. Two of the most celebrated of his followers were Maximilla and Priscilla, two ladies of fortune, who were early converted to his opinions, and pretended to prophesy. Soon after he found a zealous and gifted advocate in Tertullian. The Montanists preached a most rigid asceticism; they held it unlawful to fly from persecution, condemned second marriages, and forbade for ever communion to such as had been guilty of certain notorious offences. They represented the millennium as being near at hand, and taught that Pepusis, in Phrygia, was to be its centre. Hence they were sometimes called Pepusians, Phrygians, and Cataphrygians. They spread rapidly in Phrygia and other parts, but were violently opposed by the Alexandrian school, and condemned by several provincial councils; and they at length disappeared about the end of the 4th century.

MONT DE PIETÉ, *mont(y) de(r) pi'-é-tay* (Ital., *monte di pietà*).—A public benevolent institution, existing in Italy and other parts of the continent, and said to have been first established at Perugia in the latter half of the 15th century, by Father Barnabas of Terni, and to have taken its name from the hill on which it was situated. The object was to deliver the needy from the usurious Jewish money-lenders, by lending money upon pledges at a very moderate rate of interest, so as barely to cover the necessary expenses. Popes Leo X. and Paul III. issued bulls approving of these institutions, which were soon established in other towns of Italy, as well as in Spain, the Netherlands, and other countries. There are several still in existence in various parts of the continent. The Mont de Piété of Paris advances to the value of about two-thirds of the pledges, charging interest at the rate of 4½ per cent. per annum, besides 4 per cent. per month for the expenses of the establishment. Its annual receipts and expenditure amount respectively to some millions of francs.

Monti Frumentarii are granaries established in different parts of Italy to supply the needy with grain on the same principle as the *Monts de Piété*.

MONTH, *month* (Ang.-Sax., *monath*).—In popular language, a month is frequently used to express four weeks, and in common law and equity law, unless otherwise expressed, it is so understood. Hence, a lease for twelve months is taken to mean only 48 weeks, whereas a lease for a twelvemonth means a solar year. Formerly, in statutes, month denoted a lunar month, unless calendar month was specified; but by 13 Vic. c. 27, the word month is declared in future statutes to mean a calendar month, unless words be added showing that a lunar month was intended. In commercial practice, in all cases of negotiable instruments, a month is deemed a calendar month, but in contracts for stock it means a lunar month.

MONTH'S MIND, the name of an office in the Roman Catholic Church performed for a month for the dead.

MORA, *mo'-ra*.—A Scotch Law term denoting delay occasioned by negligence. It is used instead of the word *laches*, which is in use in England and Ireland. (See *LACHES*.)

MORAL, *mor'-al* (Fr., *morale*; Lat., *moralis*).—A word applied to the actions or conduct of life, or that which determines an action to be good or virtuous; hence, moral philosophy is the science of duties, of what *ought to be* in human character and conduct. (See *ETHICS*.)

A moral agent is one that is capable of those actions which can properly be denominated good or evil in a moral sense.

Moral fitness is the agreement of the actions of any intelligent being with the nature, circumstances, and relation of things; and moral obligation is the necessity of doing or omitting any action in order to be happy and good.

Moral sense is that whereby we perceive what is good, virtuous, and beautiful in actions, manners, or character; or it is a kind of satisfaction in the mind arising from the contemplation of those actions of rational agents which we call good or virtuous.

A moral certainty is a very strong probability, and is used in contradistinction to a mathematical demonstration.

A moral impossibility is a very great or almost insuperable difficulty, in opposition to a physical or natural impossibility.

The moral of a fable is the doctrine or general duty inculcated by it.

MORALITY, *mo'-ral'-i-ty* (Fr., *moralité*), in general, denotes a conformity of our actions to the necessary relations of life. It is a studious conformity of our actions with the relations in which we stand to each other in civil society. Morality comprehends only a part of religion, but religion comprehends the whole of morality. The highest principle in morals is a just regard to the rights of men; the first principle of religion is love to God.

MORAVIANS, *mo'-ra'-vi-ans* (also known as Bohemian Brethren, Moravian Brethren, or Moravia Brethren, or Herrnhuters), a community of Christians which arose in Prague, the capital of Bohemia (hence their name Bohemian brethren) about the middle of the 15th century, and were formed of certain remnants of the Hussites who differed from the Calixtines, another party of Hussites, in being more opposed to the errors of popery, and of stricter ecclesiastical discipline.

Doctrines and Ecclesiastical Government.—When the number of emigrants from Bohemia and Moravia to Herrnhut had considerably increased, and when many religiously-disposed persons from other quarters came to settle among them, the consequent diversity of sentiments suggested the propriety of their having some rules drawn up for their direction and guidance. Accordingly, with the assistance of Count Zinzendorf (who is justly considered to have been in some measure the founder of that society, to which he devoted his life, property, and energy), certain articles of union were drawn up, which, leaving all the distinctive doctrines of the various Protestant denominations entirely out of the question, adopted, as articles of faith, only those fundamental Scripture truths on which they all agreed, and, at the same time, introduced a system of social compact and church discipline resembling that of the ancient church of Bohemian Brethren. These articles were, after mature deliberation, adopted by all the inhabitants of Herrnhut, who pledged themselves mutually to their observance, under the name of a *Brotherly Agreement*, in 1727. They admit among them individuals from all Protestant denominations, without renouncing their original church or creed. In fact, they strenuously object to be considered a separate sect or denomination, maintaining that their union is founded exclusively on general Christian doctrines, and that their peculiarities relate solely to their social organization, by which they attempt to put truly Christian principles of life and conduct into actual practice. They profess a general adherence to the Augsburg Confession, but avoid discussions respecting the speculative doctrines of Christianity. The affairs of the whole church are managed by synods, which meet every ten years. At a general synod held at Herrnhut in 1870, it was agreed that they steadfastly maintain the following eight points, without lessening the importance of any other article of the Christian faith:—1. The doctrine of the total depravity of human nature—that, since the fall, there is no health in man, and that he has no strength to save himself. 2. The doctrine of the love of God the Father. 3. The doctrine of the real Godhead and the real Humanity of Jesus Christ—that the only-begotten Son of God, by whom all things in heaven and earth were created, forsook the glory, which He had with the Father before the world was, and took upon Him our flesh and blood, that He might be made like unto His brethren in all things, yet without sin. 4. The doctrine of our Reconciliation unto God, and our Justification before Him, through the Sacrifice of Jesus Christ. 5. The doctrine of the Holy Ghost and the operations of His grace—that without Him we are unable to know the truth; that it is He who leads us to Christ by working in us the knowledge of sin and faith in Jesus. 6. The doctrine of Good Works as the fruit of the Spirit—inasmuch as faith manifests itself as a living and active principle by a willing obedience to the commandments of God, prompted by love and gratitude to Him who died for us. 7. The doctrine of the fellowship of believers one with another in Christ Jesus—that they are all one in Him who is the Head of the body, and all members one of another. 8. The doctrine of the Second Coming of the Lord in glory, and of the Resurrection of the dead unto life, or unto condemnation. Their church is episcopal in form, and they have three orders of clergy—bishops, presbyters, and deacons. The bishops alone are authorized to ordain ministers; but they possess no authority in the government of the church, except such as they derive from some other office. The presbyters are the ordained stated ministers of the communities. The degree of deacon is the first bestowed upon young ministers and missionaries, by which they are authorized to administer the sacraments. It is a general principle of the society, that their social organization is in no case to interfere with their duties as citizens and subjects of the governments under which they live. Where they form separate communities, they do not allow the permanent residence of any persons as householders who are not members in full communion, and who have not signed the *Brotherly Agreement*; but they freely admit to temporary residence among them such persons as are willing to conform to their external regulations. According to these, all kinds of amusements considered dangerous to strict morality are forbidden—such as balls, dancing, plays, gambling of

any kind, and all promiscuous assemblies of the youth of both sexes. In the continental communities to which unmarried men and boys not belonging to the families of the community resort, in order to prepare themselves for missionary or other labours, these reside under the care of an elder of their own class, in a building called the Single Brethren's house, where usually diverse trades and manufactures are carried on for the benefit of the house or community; for it is a general rule with them that every member of the society devote himself to some useful occupation. A similar house, under the guidance of a female superintendent, is called the Single Sisters' house; and in larger communities there are also similar houses for widows who may wish to live retired. Each division of sex and station is placed under the special guidance of elders of their own description, whose province it is to assist them with good advice and admonition, and to attend to their general interests. There are also special elders, charged with the education of the young, as well as with attending to the spiritual welfare of the married people. All these elders of both sexes, together with the stated minister and the persons to whom the economical concerns of the community are intrusted, form together the board of elders, in whom rests the government of the community, with the concurrence of the committee elected by the inhabitants for all temporal concerns. This committee superintends the observance of all regulations, has charge of the police, and decides differences between individuals. Matters of general interest are submitted to a meeting of the whole community. The female elders, though they attend the board of elders, have no vote in their deliberations.

Missions.—The most distinguishing feature of this body is their earnest and unrelenting efforts to diffuse the knowledge of Christianity to the most remote and neglected portions of the globe. It is this that has more particularly gained them the esteem of so many great and good men. They were the first to establish Foreign Missions, and in 1851 they held their third jubilee and celebrated their 150th year of service in mission work. During that period they have sent out 2,171 missionaries, while at present (1881) they have 315 missionaries and 1,524 native assistants employed, and support 99 mission stations. These are distributed over South Africa, Tibet, Greenland, Koukimaux, the East and West Indies, and among the negroes. The number of communicants at mission stations is 26,200, while they have 77,042 professed adherents. This work is carried on at an annual cost of about £50,000, of which quite half is raised by the mission work, while a great deal of the remainder is raised by other Christian bodies (principally the Church of England) who appreciate their labours.

Statistics.—In Germany (including Bohemia) there were (1881) 6,153 communicants and 8,419 professed adherents; in Great Britain and Ireland, 3,200 communicants and 5,645 professed adherents; in America, 9,654 communicants and 16,505 professed adherents. The number of chapels in Great Britain is 37, with 57 ordained ministers.

History.—In 1453 they betook themselves to the borders of Silesia and Moravia (hence this name Moravian), where they formed themselves into separate communities, and distinguished themselves from the rest of the Hussites by the name of Brothers of the Law of Christ, the Union of Brethren, or United Brethren. They suffered great persecutions, both from the Catholics and the Roman Catholics; but they suffered unrelentingly, opposing nothing but reasonable remonstrances and paying to the rage of their persecutors. They were often confounded by their opponents with the Waldenses and Picards, and, on account of their being frequently compelled to conceal themselves in caverns and solitary places, they were called Cave-dwellers (*Grubenwoner*). In spite of persecution, however, from the steadfastness of their faith and the purity of their morals, their numbers greatly increased, and in 1500 they numbered 200 parishes, most of which had chapels connected with them. It being against their principles to engage in strife, they refused to take up arms in the Smalcaldic war against the Protestants, and, in consequence, Ferdinand deprived them of their churches; and in 1548 about 1,000 of them retired into Poland and Prussia, where they at first settled at Marienwerder. The agreement which

these exiles entered into at Sentomir with the Polish reformers in 1570, and, still more, the Dissenters' Peace Act of the Polish Convention in 1572, secured them toleration in that country; while the subsequent persecutions of Sigismund II. united them still more closely to the Reformers, with whom they have maintained a connection to the present day. Those who remained in Moravia and Bohemia obtained some degree of liberty under Maximilian II., and had their chief seat at Fulnek, in Moravia. The Thirty Years' War, which terminated so disastrously for the Protestant cause, occasioned the entire destruction of the Bohemian churches, and broke up their societies. Their last bishop, Amos Comenius, took refuge in England, and commended the cause of his people to their pious brethren of the Church of England. About this period, some of the persecuted refugees obtained protection and privileges from the English government, and the church of Austin Friars, in the centre of London, was granted to one of their ministers. Again, in the reigns of Charles II. and George I., the case of these sufferers was recommended to the people of England, and money collected for their aid in the churches throughout the kingdom, with the express sanction of two successive archbishops of Canterbury. Those that remained in their own country continued to meet secretly and by stealth, until, at last, a number of them found refuge on the estates of Count Zinzendorf, in Lusatia, where they built a humble village and named it *Herrnhut* (the Lord's shelter), and which is still the principal settlement of the society, hence they are often known in Germany as *Herrnhuters*. They first appeared as a body in England shortly before the middle of the last century. They laid their case before parliament, when their doctrines, discipline, and history were scrupulously investigated by committees of both houses; and two bills were passed (20 Geo. II. c. 44, and 22 Geo. II. c. 30) in 1747 and 1748, exempting them from taking oaths and bearing arms in certain cases. The early Brethren attempted to restore the primitive purity of the Christian Church, and framed their constitution according to the accounts that remain of the Apostolic churches. They took the Scriptures as the ground of their doctrines, and exercised a strict system of superintendence over their members, extending even to the minute details of domestic life. For that purpose, they had a number of officers of different degrees—viz., ordaining bishops, seniors and conversers, presbyters or pastors, deacons, aides, and acolytes—among whom the management of the ecclesiastical, moral, and civil affairs of the community was distributed. They had three classes of members—beginners, proficients, and the perfect, and three degrees of excommunication, and made a careful separation of the sexes.

MORGANATIC MARRIAGE, *mor-gan-ot'-ik* (from the Gothic word *morgian*, to shorten, to limit).—Sometimes called a left-handed marriage; a marriage in which it is stipulated that the wife (who is inferior in rank to her husband) and her children shall not enjoy the privileges of the rank, nor inherit the possessions of her husband. In Germany, morganatic marriages are not uncommon among the sovereign princes and high nobility; they are, however, restricted to personages of these exalted classes. The late King of Prussia contracted an alliance of this kind with the Princess of Liegnitz.

MORTALITY, BILLS OF. (*See BILLS OF MORTALITY.*)

MORTGAGE, *mor-gej* (Fr., *mort*, dead, and *gage*, pledge; Lat., *vadium mortuum*).—The conveyance of an estate, real or personal, by a debtor to his creditor, as a pledge or security for a debt. The debtor is the mortgagor, the creditor the mortgagee. The conveyance is absolute in form, but subject to a proviso by which it is to become void, or by which the pledge is to be reconveyed upon repayment to the grantee of the principal sum secured, with interest, on a certain fixed day. Upon the non-performance of this condi-

tion, the mortgagee's estate becomes absolute at law, but remains redeemable in equity during a limited period. (*See LIMITATION.*) In general, every description of property, and every kind of interest in it which is capable of absolute sale, may be the subject of a legal mortgage, or its equivalent in equity. A deed, if really intended only as a security for money, will be treated as a mortgage, although, in form, it purports to be an absolute conveyance or assignment. So long as the mortgagor remains in possession, the mortgagee's estate is not absolute. As to the rights of the mortgagee, he is entitled to enter into possession of the lands, and after notice to the tenants, to recover the rents and profits, unless there is some agreement to the contrary. He may grant leases, subject to the equity of redemption, and avoid by ejectment, without notice, any leases that may have been made by the mortgagor without his concurrence subsequently to his mortgage. He must, however, account for the rents which he receives, and pay an occupation rent for such parts as he may keep in his own possession. A mortgagee is not allowed to obtain any advantage out of the security beyond his principal and interest. Though the mortgagee, after the mortgagor's default in payment of the principal sum and interest, has the absolute legal estate, he is still considered in equity to hold only as a security for his debt. In order to obtain absolute possession of the estate, the mortgagee has to file a bill of foreclosure against the mortgagor, calling upon the latter to redeem his estate forthwith, by payment of the principal money, interest, and costs, and if he fail to do so within the time specified by the court (usually six months), he is for ever barred and foreclosed of his equity of redemption, and the mortgagee becomes owner in equity as he before was in law. (*See FORECLOSURE.*) In the event of a sale, the surplus, after deduction of the principal sum, interest, and expenses, must be accounted for and paid to the mortgagor, his heirs, executors, administrators, or assigns. These general remarks apply principally to mortgages of land. The subject is very intricate, so that we cannot fully enter into it here.

MORTIER, *mor'-te-a* (Fr.), was a cap of state anciently worn by the kings of France, and afterwards by the presidents of parliament in Paris. It resembled that at present worn by the presidents of the courts of justice.

MORTIFICATION, *mor-ti-fi-ka'-shun*.—In Scots Law, a term used in the same sense as mortmain. (*See MORTMAIN.*)

MORTMAIN, *mort-main'* (Fr., *mort*, dead, and *main*, hand; Lat., *mortuamanus*).—An alienation of lands and tenements to any guild, corporation, or fraternity, and their successors; and the statutes of mortmain are framed to prevent priests or others from urging a man, on his death-bed, to leave property to them, or for religious or charitable purposes. Under the system of feudal tenures, the lords of estates enjoyed certain privileges on the death or change of their vassals. But it being a distinctive quality of a corporation that it never dies, lands held by such bodies produced none of these feudal fruits, but, in the language of Lord Coke, "were said to come to dead hands as to the lords." Soon after the Conquest, ecclesiastical corporations came to acquire landed

property so largely as to perceptibly curtail the lords of the fruits of their seigniories, and diminish the feudal services ordained for the defence of the realm. To remedy this evil, legal enactments began to be issued against it, the earliest of which is contained in the Magna Charta, which declares "that it shall not be lawful for anyone to give his lands to any religious house, and to take the same land again to hold the same house, &c., upon pain that the gift shall be void, and the land shall accrue to the lord of the fee." The ecclesiastics having found means to evade this, the statute 7 Edward I., commonly called the statute of Mortmain, or *De Religiosis*, was passed, providing that "no persons, religious or otherwise whatsoever, should buy or sell any lands or tenements, or, under the colour of any gift or lease, or any other title whatsoever, receive the same, or by any other craft, shall appropriate lands in any wise to come into mortmain, on pain of forfeiture; and within a year after the alienation the lord of the fee may enter." They found out a way also to evade this statute, and the 13th of Edward I. was passed; and afterwards the 15th of Richard II. c. 5, declared that no feoffment, &c., of any lands and tenements, advowsons, or other possessions, to the use of any spiritual persons, or whereof they shall take the profits, shall be made without license of the king, and of the lords, &c., upon pain of forfeiture. For the augmentation of small livings, it was enacted by 17 Car. II. c. 3, that all benefices under a certain amount per annum may be augmented by the purchase of lands without license of mortmain in either case; and the like provision has since been made in favour of the governors of Queen Anne's bounty. And by the statute 43 Geo. III. c. 137, any real or personal property may be given by deed enrolled, or by will, for the augmentation of this bounty, notwithstanding the statutes of mortmain. The British Museum, the universities of Oxford and Cambridge, and various other public bodies, have been exempted from the statutes of mortmain by various acts of parliament. The history of mortmain is intimately connected with the ecclesiastical and civil history of this country.

MORTUARY, *mor'-tu-a-re* (Lat., *mortuarius*).—A gift left by a man at his death to his parish church, for the recompense of his personal tithes and offerings, not duly paid in his lifetime. A mortuary is not properly and originally due to an ecclesiastical incumbent from any but those of his own parish to whom he ministers spiritual instruction, and has a right to their tithes; but, by custom, they are sometimes paid to the parsons of other parishes, when the corpse passes through them. Selden says that it was anciently the usage to bring the mortuary along with the corpse when it came to be buried, and to offer it to the church, as a satisfaction for the supposed negligence and omissions of the deceased in not paying his personal tithes; and from hence it was called a corpse present. Mortuaries are not due by law, but by custom. The uncertainty that prevailed regarding mortuaries giving rise to frequent disputes, they were by 21 Hen. VIII. c. 6, commuted into money payments as follows:—Where the defunct left movable goods to the value of ten marks and under £30, clearly above his debts, he paid a mortuary of 3s. 4d.; above the value of £30 and under £40, 6s. 8d.; above £40, then 10s.

MORISONIANISM, *mor-is-o'-ni-an-izm*, (See EVANGELICAL UNION.)

MORMONS, OR LATTER-DAY SAINTS, *mor'-monz*.—A sect of religious fanatics which has arisen within the present generation, and gained over many converts. Its founder was one Joseph Smith, an American, born in Sharon, Windsor County, Vermont, 1805. He was but poorly educated, and he and his family had a bad reputation among their neighbours. He affirmed that in 1823 an angel appeared unto him, informing him where certain ancient records, written by a prophet called Mormon, were to be found. These were a collection of three gold plates engraved with "Reformed Egyptian" characters. He set to work to translate them, and his product is now known as the "Book of Mormon." The angel then carried off the plates, no one being allowed to see them but a few of his own disciples. Some of these afterwards quarrelled with Smith, and acknowledged the falseness of their testimony. On the other hand, it is asserted that a clergyman of the name of Spaulding had written a religious tale a few years before, entitled "The Manuscript Found," the story corresponding to that of the Book of Mormon. After Spaulding's death, the manuscript fell into the hands of one Sidney Rigdon, an intimate acquaintance of Smith. The Book of Mormon was succeeded by a "Book of Doctrine and Covenants," being a collection of the special revelations made to Smith and his associates upon all points connected with the course and welfare of the Church. This was continually enlarged as further revelations, consequent upon the varying fortunes and requirements of the body, were received. Among these was one by which the Aaronic priesthood was revived; another by which baptism by immersion was commanded; a third for the institution of apostles; and others for the temporal regulation of the Church from time to time. In these productions the peculiar phraseology of Scripture is profusely imitated. At first they were much persecuted, and suffered gross ill-treatment at the hands of the mob, Smith himself being on one occasion tarred and feathered. In 1839, they took refuge in the State of Illinois, where they built the town of Nauvoo, or Beautiful. Here, in 1841, they commenced the erection of a splendid temple, which was to be more wonderful than that of Solomon. In June, 1844, however, in consequence of a riot in the town, Smith and his brother Hiram were apprehended and lodged in Carthage prison; but the mob were so excited against them, that they broke into the prison and shot both of them. Brigham Young succeeded, after a time, to the post of prophet. The hostility and Mote being renewed against them from time to time, and finding themselves unable to cope with their antagonists, they at length quitted the state in 1846, resolved to seek a home beyond the Rocky Mountains, away from any settled habitation. After suffering great hardships from cold, hunger and disease, and being obliged to spend a winter on the way, they reached the valley of the Great Salt Lake, where they established themselves. Here their object has been to strengthen their party by inviting persons of their own faith from all parts to settle there. Agents were despatched to almost every portion of the globe to make converts and to facilitate their transmission to America. It is computed

that at least 30,000 persons have left England for the Lake district. Since their settlement in this territory, now known as Utah, various disputes have arisen between them and the United States authorities; and at length a military force was sent by President Buchanan to compel obedience. The approach of this force caused great excitement among the Mormons; but at length they agreed to submit to Federal authority, and, after remaining for a time, the troops, in May, 1860, left the territory. The number of Mormons in Utah is probably about 70,000; in other parts about 140,000.

Doctrine and Ecclesiastical Organisation.—According to their own accounts, they believe in the three persons of the Godhead; that all mankind are in a state of sin in consequence of Adam's transgression; but that in consequence of the sacrifice of Christ, they are free from the guilt of original sin, and only punishable for actual transgressions. In order to salvation, four things are necessary:—1, Belief in Christ's atonement; 2, remission of sins; 3, baptism by immersion for the remission of sins, administered by one authorized of Christ; and 4, the laying on of hands for the gift of the Holy Ghost, to be administered only by duly-authorized apostles or elders. All who comply with these conditions obtain forgiveness of their sins, and are made partakers of the Holy Ghost, enjoying the gifts of prophecy and healing, visions and revelations, and the power of working miracles. They believe in the literal gathering of Israel, and in the restoration of the ten tribes; that Zion will be established upon the western continent; that Christ will reign personally upon earth a thousand years; and that the earth will be renewed, and receive its paradisaical glory. They profess to copy the primitive Church in having apostles, prophets, pastors, teachers, evangelists, &c. They further profess to "believe in being honest, true, chaste, temperate, benevolent, virtuous, and upright, and in doing good to all men;" but if the accounts of travellers and others are to be believed, these virtues are frequently forgotten. Though polygamy is repeatedly denounced in the Book of Mormon, it is said that Smith's conduct was such as to excite the jealousy of his wife, and, to pacify her, he pretended to receive a revelation (24th July, 1843) authorizing the adoption of "spiritual wives." In 1852 the Church openly avowed and defended the doctrine of polygamy; so that now many of them have four, five, or six wives; and, according to one account, Young had as many as sixty.

MOSLEM. (See MOHAMMEDANISM.)

MOTES, OR GEMOTES, *motes*.—Certain public courts or assemblies among the Anglo-Saxons, for legislative or municipal purposes, of which there were various kinds; as wittenagemote, folkmote, burgmote, &c. Hence comes the word *mote* or *moot*, signifying to plead. Moteer was applied to a customary service, or payment, at the mote or court of the lord.

MOTION IN COURT.—An occasional application to the court by the parties or their counsel, in order to obtain some rule or order of court, which becomes necessary in the progress of a cause. Motions are either of a civil or criminal nature; the latter for an attachment, a misbehaviour, &c. A motion is in general accompanied by an affidavit, and is usually preceded by a notice to the opposite party.

MOUNTAIN, THE (Fr., *La Montagne*).—A name applied, during the French revolution, to a party in the Convention which occupied the highest benches on the left, and was composed of the most ultra of the revolutionists and the leaders of the Jacobins and Cordeliers. It hence came to denote any association of persons of similar principles.

MOVABLE FEAST. (*See* FEAST, or FESTIVAL.)

MOVABLES, mu'-v-a-b'l (from Lat., *moveo*, I convey, or draw from one place to another).—Goods which are capable of being removed from one place to another. Movable goods or effects are ready money, merchandise, bonds, book debts, cattle, and household furniture not fastened with iron or nail, nor sealed in the plaster, but which may be transported without either fraction or deterioration. In Scotch Law, movables go to the next-of-kin, in case of intestacy, not to the heir-at-law; and the term includes debts, bills of exchange, rights of action, &c.

MOZARABIAN LITURGY, mo-za-ra'-bi-an.—A liturgy anciently in use among those of the Christian inhabitants who remained faithful to their religion after the conquest of the country by the Moors, and who were known as Mozarabians, or Mostarabians. It is also known as the Gothic liturgy. Pope Gregory VII. compelled most of the Spanish churches to adopt the ordinary liturgy of the Roman Church; but a few congregations, chiefly in Leon and Toledo, were permitted to retain it. In 1500, Ximenes, archbishop of Toledo, founded a chapel for the express purpose of continuing the use of this liturgy, which some ecclesiastical writers attribute to the apostles; but more numerous authorities are satisfied that it was compiled by St. Isidore of Seville, in co-operation with the fourth council of Toledo, in 1033. It is of great interest to ecclesiastical historians.

MUEZZIN, mu-az'-zin.—In Mohammedan countries an officer of the mosque, whose duty it is to call the faithful to prayer five times a-day, as prescribed by the Koran. He commonly stands on a balcony of the minaret chanting in a loud voice in the morning; and at other times a short expression of the greatness and unity of Allah, that "prayer is better than sleep (or than food); come to prayer." As from his elevation, he can overlook the roofs and the interior of the dwellings, this office is said to be usually conferred on blind men. Fewer things arrest the attention of a stranger in an Oriental city than the musical chant of the Muezzin, or Mueddin.

MUFTI, mu'-te (Arabic, "expounder of the law.")—A name given to the head doctors of the law of the Koran, in Turkey, in which there is one in every large town. He is of great authority in the empire, being, as interpreter of the law, consulted on judicial proceedings, particularly in criminal cases, and in general on all affairs of importance. The grand mufti at Constantinople, called "Sheikh-ul-Islam," chief of Islam, is the head of the ulemas, or servants of religion and law. (*See* ULEMAS.) He takes rank immediately after the grand vizier, and is the chief interpreter of the law, and formerly no person could be put to death without his consent; but of late years, by the reorganization of the Turkish government, the power and prerogatives of the grand mufti have been much curtailed.

MUGGLETONIANS, mug-g'l-to'-ne-ans.—A sect of religious fanatics founded by one Ludo-vice Muggleton, a tailor (1609–1693), who, in conjunction with one Reeves (a person of equal obscurity), declared themselves to be the "two last witnesses" mentioned in the Apocalypse (Rev. xi. 3), having the power of prophecy and to absolve or condemn whom they pleased. They

commenced by denouncing all other religious sects, especially the Ranters and Quakers, and in 1656 published an exposition of their views, under the title of "The Divine Looking-Glass." They made a direct attack on Cromwell, the Parliament, and the Commonwealth of England, in a publication entitled "A Remonstrance from the Eternal God," for which they were promptly imprisoned in Bridewell. Among other absurdities, they propounded that God had the body of a man; that there were not three distinct persons in the Trinity; and that God, when he came down to earth to suffer, left Elias as his representative in heaven. William Penn attacked them in a book entitled "The New Witnesses proved Old Hereticks," 1672. Muggleton was arraigned at the Old Bailey for blasphemy in 1676. A complete edition of his works was published in 1756, and another as late as 1832, in three vols. 4to, containing also works by Reeves and others of the sect. A few straggling believers survived till about thirty years ago, when all traces of the sect disappeared.

MUIRBURN, moor'-burn.—In Scotch Law, the offence, punishable by fine or imprisonment of wilfully or at unlawful times setting fire to heather. Neither owners nor tenants, except in high and wet lands, may set fire to heather between April 11 and November 1.

MULTIPLEPOINDING.—In Scotch Law, a form of action by which competing claims to one and the same fund are set at rest.

MULTURES, mul'-chers.—In Scotch Law, grain deliverable to the owner of a mill for grinding the corn sent there.

MUNDANE EGG, mun'-dane (Lat., *mundus*, the world).—In many of the ancient accounts of the production of the world, it is stated to have been evolved from an egg. This egg appears in connection with various legends in the Egyptian, Phœnician, Hindoo, and Japanese cosmogonies.

MUNICIPAL CORPORATION, mu-ni'-cip-al (Lat., *municipium*).—A body politic or corporate established in some town, and consisting of the burghesses or freemen thereof, to protect the interests of its inhabitants as such, and for the maintenance of order therein. The origin of this institution is to be sought in the ancient Roman *municipium*, by which certain of the rights of Roman citizens were conferred upon particular towns; the inhabitants of such towns at the same time enjoying their own laws and customs. Such municipalities were established in various parts of the empire, as Spain, Gaul, and Britain; and after the breaking up of the empire, the municipal system came to be amalgamated with the feudal system of the continent and the Saxon institutions of Britain. In England, little is known regarding municipal corporations prior to the time of the Conquest; but there can be little doubt that the charters granted by the Norman kings were only a confirmation of the privileges already enjoyed. These charters conferred upon the boroughs the right of having for their government such officers as mayors, aldermen, bailiffs, and the like, with power to hold courts of their own for the administration of justice within the bounds of the borough, and to enjoy many other liberties and privileges, exemption from certain burdens, &c. Charters continued to be granted to the same,

and to other towns, by different monarchs, until a very large proportion of the towns of England were incorporated. These, however, being granted by different kings, and at very different times, were subject to great variety of structure, and gave rise to great inconvenience. This led to the passing of the Municipal Corporation Act (5 & 6 Will. IV. c. 76), which provides that in every borough there shall be elected annually a mayor, and periodically a certain number of aldermen and councillors, who together shall constitute the council of the borough; that they shall be respectively chosen from among persons on, or entitled to be on, the burgess-list, and otherwise qualified as in the Act described; that the councillors shall be elected by the burgesses, and the mayor and aldermen by the council. The rents, profits, and interest of all corporate property shall be paid to the treasurer, and carried to the account of the borough fund; and the accounts shall be at all times open to inspection, and regularly audited and printed for the use of the ratepayers. The Act further distinguishes between the rights newly conferred by it and the former rights of the corporators, with regard to the corporate property, and as to voting at parliamentary elections, both which former rights are expressly preserved. Later Acts referring to the subject are 32 & 33 Vict. c. 55, and 35 & 36 Vict. c. 33, the latter of which enacted that votes in municipal elections should be taken by ballot.

MUNICIPAL LAW is that which pertains solely to the citizens and inhabitants of a particular state, as distinguished from international law, commercial law, &c. (See LAW, MUNICIPAL.) It is frequently, however, applied to the laws which prevail in any particular city or province, as distinct from the rest of the state.

MUNIMENTS, *mu'-ne-ments* (Lat., *munitio*, I defend).—Written records upon which claims and rights are founded and depend. Where, however, the number of these documents, or the interest to be defended, is small, this term is seldom used, but the correlative *title-deeds* or *evidences*.

MUNITIONS OF WAR, *mu-nish'-unz* (Lat., *munitio*).—Materials used in war for defence or for annoying an enemy, including guns of all kinds, their loading, &c. (See LAW OF NATIONS.)

MURDER, *mur'-der* (Sax., *morthor*).—This is the legal definition of the crime committed "when a person of sound memory and discretion unlawfully killeth any reasonable creature in being, and under the king's peace, with malice aforethought, either express or implied." It can only be committed by a person of sound mind and discretion, for lunatics and infants, unless where they show a consciousness of doing wrong, are incapable of committing any crime. The unlawfulness arises from killing without any lawful warrant or excuse; and the person killed must be a reasonable creature in being, and under the king's peace." (See HOMICIDE and MANSLAUGHTER.)

MUSKETRY, SCHOOLS OF.—Shortly before the Crimean War, instructors of musketry were appointed to instruct soldiers in the proper use of fire-arms; and in 1854 a school was estab-

lished at Hythe, and the results have been very satisfactory to the military authorities.

MUSSULMAN, *mus'-sul-man*, a Mohammedan, or follower of Mohammed (plural, "Mus-sulmans.") The word is derived from *Moslem*, of which it is the dual number, meaning "resigned to God." The appellation is generally said to have been first applied to the Saracens.

MUTE, *mute* (Lat., *mutus*).—In Law, a person who stands dumb or speechless when he ought to answer or plead. A prisoner is said to stand mute when, being arraigned for treason or felony, he either (1) makes no answer at all, or (2) answers foreign to the purpose, and will not answer otherwise. In such cases, the ancient law was that a jury be empanelled to inquire whether the prisoner stood obstinately mute, or was mute by the act of God (*ex visitatione Dei*). By 7 & 8 Geo. IV. c. 28, it is provided that if any person being arraigned upon, or charged with, any indictment or information for treason, felony, piracy, or misdemeanour, shall stand mute of malice, or will not answer directly to the indictment or information, then it shall be lawful for the court, if it shall so think fit, to order the proper officer to enter a plea of "not guilty," which shall have the same force and effect as if such person had actually pleaded the same. If there be reason to believe him to be insane, the question should be submitted to a jury, and if found to be so, then he shall be ordered by the court to be kept in strict custody till the royal pleasure be known.

MUTINY. (See ARTICLES OF WAR; INQUIRY, COURT OF.)

MYSTAGOGUE, *mis'-ta-gog*.—A priest whose duty was to conduct the preparation of candidates for initiation into the mysteries of the Greek and Roman religious systems, &c. The term was also applied among the early Christians to those who prepared candidates for initiation into the Christian "mysteries" or sacraments.

MYSTERIES, ELEUSINIAN. (See ELEUSINIAN MYSTERIES.)

MYSTICS AND MYSTICISM, *mis'-tik* (Lat., *mysticus*, a mystic).—The *Mystics* were a sect of Christians which arose in the 2nd century. The first system proceeded upon the known doctrine of the Platonic school, which was also adopted by Origen and his disciples, that the divine nature was diffused through the human soul, or that the faculty of reason was an emanation from God into the human soul, and comprehended in it the principles and elements of all truth, human and divine. They denied that men could excite this celestial flame by labour or study; but they maintained that silence, tranquillity, repose, and solitude, accompanied by such acts as might tend to exhaust and attenuate the body, were the means by which the hidden and internal word was excited to produce its latent virtues and to instruct men in the knowledge of divine things. The *Mystics* increased in number in the 4th century, under the influence of a Greek fanatic, who gave himself out to be Dionysius the Areopagite, one of St. Paul's converts (Acts xvii. 34). A copy of the pretended works of Dionysius was sent by Balbus to Louis the Meek, A.D. 824, which kindled the flame of Mysticism in the western provinces, and filled the Latins with the most

enthusiastic admiration of this new system. In the 12th century the Mystics took the lead in their method of expounding the Scriptures; in the 13th they were the most formidable antagonists of the schoolmen; and towards the close of the 14th many of them resided and propagated their tenets in almost every part of Europe. In the 15th century they had many persons of distinguished merit in their number; and in the 16th, previous to the Reformation, if any sparks of real piety subsisted under the despotic empire of superstition, they were chiefly to be found among the Mystics. In the 17th century, the radical principle of Mysticism was adopted by many descriptions of religionists without being confined to any particular denomination of Christians. Among the number of Mystics may be mentioned many singular characters, especially Behmen, a shoemaker at Görlitz, in Germany; Molinos, a Spanish priest in the 17th century; Madame Guion, a French lady, who made a great noise in the religious world; and the celebrated Madame Bourignon, who wrote a work entitled "The Light of the World," which is full of mystic extravagances. Fenelon also entertained similar sentiments, for which he was reprimanded by the Pope. The Mystics were called *Quietists* in the 17th century.

MYTHOLOGY, *mi-thol'-o-je* (Gr., *muthos*, a tradition, a fable; and *logos*, a discourse).—A term which originally signified any fabulous doctrine. In a more general sense, it now means the whole body of the traditions of a nation respecting its gods or fabulous heroes. The student of history often finds it difficult to distinguish at what time the mythology of a nation may be said to cease, and its true history to begin. Fable is a creation of the human imagination, and derives its origin from that love of the marvellous which is in a manner congenial

to mankind. The ordinary events and appearances of nature are too obvious and uninteresting either to gratify curiosity or excite admiration. Hence that powerful propensity in our nature towards the new and surprising, animated by the delight with which the contemplation of them is generally attended, was eagerly laid hold of by legislators, philosophers, theologians, poets, and musicians. Each of these in their turn made use of the fabulous to convey his instructions to the savage tribes. From this arose the allegorical taste of the ancients, and especially of the primary sages of the East. The almost universal propensity towards personification among the Orientals was another fruitful source of fable and allegory. The practice of personifying virtues, vices, religious and moral affections, was necessary to support that allegorical style which universally prevailed in those countries. The first persons probably who reduced mythology to a kind of system were the Pagan priests, especially those of Egypt. Those priests monopolized all the religion and all the learning, as well as all the arts and sciences, of the country. In order, therefore, to keep the laity in subjection, besides preventing all intellectual improvement, they performed all the ministrations of religion in an unknown tongue, and covered them with a thick veil of fable and allegory. The Ethiopian language became their sacred and mystic language, and hieroglyphics their sacred character. It is singular, however, that in the earliest and most unpolished state of society, the Chinese and Egyptians, the two most ancient nations whose annals have reached our times, were totally unacquainted with fabulous details in the most early and least improved stages of their respective monarchies. As soon as the authentic tradition of the origin of the universe was lost or adulterated by the inventions of men, then fable and fiction began to prevail. (See various headings.)

N.

NĀGA, *na-ga*.—The name of certain deified serpents in the Hindoo mythology.

NAHUM, BOOK OF, *nai'-hum*.—One of the minor prophetic books of the Old Testament, the author of which is believed to have flourished towards the close of Hezekiah's reign, about 705 a.c. The subject of the book is "the burden of Nineveh," i.e., the destruction of Nineveh and the Assyrian empire, as the punishment of its wickedness and oppression. It commences with a sublime description of the justice and power of God, showing how terrible He is to His enemies; then follows an account of the sufferings of Nineveh, until it is utterly destroyed. In freshness and graphic power this author is not behind any of the other minor prophets. He gives evidence of a rich and lively imagination, and his figures are abundant and appropriate: the language is classical throughout. "His prophecy," says Bishop Lowth, "forms a regular and perfect poem; the exordium is not merely magnificent, it is truly majestic; the preparation for the destruction of Nineveh, and the description of its downfall and desolation, are expressed in the most vivid colours, and are bold and luminous in the highest degree."

NANTÈS, EDICT OF. (See *EDICT*.)

NARAKA, *nar-a'-ka*.—The name given by the Hindoos to hell. According to the various Hindoo writers, the Naraka is divided into 21 or more hells, to each of which is assigned a particular class of sinners.

NAPOLEON CODE. (See *CODE*.)

NATION, *nay-shun*.—A term denoting a body of people united under one common government, and also meaning a mass of people of one common origin, race, and language.

Nationalism.—The doctrine that those people of the same origin and race should be united under the same government. But the difficulty in the way of realising this idea is, that the different European races appear to be so commingled that in some cases it would be impossible to strictly reconstruct the political map on this plan. (See also *ETHNOLOGY*.)

NATIONAL ASSEMBLY. (See *ASSEMBLY, NATIONAL*.)

NATIONAL COVENANT. (See *COVENANT*.)

NATIONAL CONVENTION.—The name given to an assemblage of the deputies of the people. It is applied more particularly to that assemblage which assumed the government of France, after the overthrow of the monarchy in 1792.

NATIONAL DEBT.—The debt owing by a nation or state. In this country the national debt has arisen since the time of the Revolution; for though it was customary for the earlier kings to borrow money, the revenues of the crown were pledged for the loan, which was usually repaid in a few years.

History.—The first loans were of the nature of terminable annuities, and in 1693 an Act was passed authorising the borrowing of a million on life annuities of 10 per cent. till 1700, and during the lives of the surviving creditors at 7 per cent. In the following year the first loan of a permanent character was effected on the occasion of the chartering of the Bank of England, when its capital of £1,200,000 was lent to government at 8 per cent. interest. The expensive continental wars in which we were then engaged rapidly increased the national debt; so that at the death of William III., in 1702 it amounted to £16,304,702. During the reign of Queen Anne, it was increased by nearly thirty-eight millions; so that at the accession of George I., in 1714, it amounted to £54,145,367. During the reign of George I., this sum was reduced by £2,053,125. From the accession of George II., in 1727, to the peace of Paris in 1763, a sum of £86,773,192 was added to it. The twelve years' peace which intervened between this and the commencement of the American war, in 1775, enabled upwards of ten millions of this sum to be paid off. The American war added to it not less than £21,267,903; so that at its conclusion, in 1784, it amounted to £249,851,628. During the peace which followed, till the commencement of the French war, in 1793, about ten and a half millions were paid off; but the French war involved us in a debt of upwards of six hundred millions; so that at the conclusion of the war (January 5, 1816), the unredeemed national debt amounted to £385,186,324. Since that time considerable efforts have been made to reduce the debt by employing for that purpose the surplus revenue; but, on the other hand, several large additions have been made. The national debt is part funded and part unfunded (see *TREASURY*), the former being what is secured to the creditors upon the public funds; the latter being not so secured, but generally raised by exchequer bills (which see), and of comparatively small amount. The amount of funded and unfunded debt is now about £730,000,000.

NATIONAL EDUCATION.—A term applied to the means adopted in any particular country to educate the mass of the people. In every state there are a thousand agencies that really bear upon the education of a people that cannot be distinctly enumerated or calculated. The intercourse of daily life, the form of government and institutions under which they live, the circumstances by which they are surrounded, all tend to educate and develop the various capacities of a people. But there can be little doubt that, in order to an efficient and general education of a people, it is necessary for a state to do more or less for its advancement. In some countries, as in Prussia, the education of the people is entirely and directly under the control of the state; in others, as in some Catholic countries, this power is delegated to the Church.

History of National Education in this Country.—It was not till about 1833 that the government took any special interest in the subject of national education. About that time, the lords of the privy council, seeing the great destitution of the country, began to give small grants from the treasury in aid of school-building, through the British and Foreign and the National School Societies respectively. In 1839 a committee of council on education was formed, in order the better to regulate and extend the educational grants. Aid was also afforded to normal schools, but the system was very unsatisfactory, and various attempts were made to put it upon a satisfactory footing. The great defect was that it was denominational and not national. Almost every sect had its schools planted over the country, and to each and all alike government aid was afforded on certain conditions. In fact, the

religious denominations undertook to educate the people, and the government came to the aid of all alike, so far as they chose to avail themselves of its assistance. It was not until the Elementary Education Act was passed in 1870 (see *EDUCATION*) that any satisfactory or national system was adopted.

NATIONAL GUARD.—An armed force of citizens, differing from the British militia and volunteers in that they are more under the control of the municipality to which they belong than to the government of the country. Italy, Greece, and other continental nations have maintained this civic guard, but it is in France where the National Guard has acquired such historic fame and importance.

History of the French National Guard.—At the commencement of the French Revolution, the popular party were in want of troops on whom they could rely both for the purpose of maintaining order and of resisting the attempts of the court party if it should be necessary. On the 13th of July, 1789, the day before the Bastille was taken, when great disturbances had occurred in Paris, a municipal committee was formed in the Hôtel de Ville, to provide for the public safety and order. The lieutenant of police was requested to advise with them, and in a few hours a plan was devised for arming the citizens. It was arranged that the force was to be drawn from the electoral districts, and to consist of 48,000 men. On the day following, the Bastille was taken, and on the 15th, Bailly, the president of the Assembly, was made mayor of Paris, and the Marquis de Lafayette commandant-general of the militia of Paris. On the 17th of June in the following year, the National Assembly decreed that it was necessary to be a member of the national guard in order to enjoy the rights of citizen ship. In 1791, however, the national guards were first organized by law. From that time, a standing municipal and departmental national guard was established, to be raised by voluntary enlistment in the proportion of one to every twenty citizens. The choice of officers was left to themselves, and they received pay, arms, and uniform. Six months afterwards, the number of the battalions of the departmental national guards was fixed at 216. After many reorganizations, the national guards were dissolved in 1827, on account of having ventured to demand the removal of Villèle's ministry and the expulsion of the Jesuits. It was revived during the memorable days of July, 1830. General Lafayette was appointed commander-in-chief, and confirmed in that post by Louis Philippe. By the charter of 1830 it would appear that the national guards had become a fundamental institution of the kingdom, and could not again be constitutionally abolished. They were reorganized during the same year and divided into two classes—movable and stationary. The National Guard was abolished by the National Assembly in August, 1871.

NATIONAL WORKSHOPS. (See *ATELIERS NATIONAUX*.)

NATIONS, LAW OF. (See *LAW OF NATIONS*.)

NATURAL OBLIGATION.—An obligation imposed by the law of nature, such as the obligation of a parent to maintain his child.

NATURALIZATION, nat-u-ral-i-zai'-shun.—The act of investing an alien with the rights and privileges of a native-born citizen or subject. It is of two kinds—collective and personal; collective when a country or state is incorporated in another country by gift, cession, or conquest; personal, when the privileges of a subject or citizen are conferred upon an individual by the license or letters patent of a sovereign, or the act of a legislative body, or are obtained by the individual himself under a general law, upon his complying with certain conditions prescribed by the law. The practice

of naturalizing foreigners prevailed among the states of antiquity, and is found in the rudest forms of human society.

Mode of obtaining Naturalization.—This differs in different countries. In England, prior to 1844, the only mode by which a foreigner could obtain naturalization was by act of parliament; and even then he was excluded from being a member of the privy council or of parliament, and from having any office of trust, civil or military, or taking lands, tenements, or hereditaments, by grant from the crown; but of course it was within the power of parliament to grant these privileges specifically in any act. The king, however, might grant letters of denisation, conferring certain limited rights, in the exercise of his royal prerogative. At present, naturalization may be effected either by act of parliament or in pursuance of Act 7 & 8 Vict. c. 66 by the certificate of a secretary of state. By the former, an alien is put in exactly the same state as if he had been born in the king's allegiance. It has also a retrospective view; for if a man be naturalized by act of parliament, his son born before may inherit. Naturalization by certificate of the secretary of state may be obtained by any alien coming to reside in any part of Great Britain or Ireland, with intent to settle therein. For that purpose, he has to present a memorial to one of the secretaries of state, who may, after receiving the necessary evidence of the truth of the allegations contained in the memorial, issue, if he shall so think fit, a certificate, granting to the memorialist, upon his taking the oath of allegiance and abjuration in that act set forth within sixty days from the date of such certificate, all the rights and capacities of a natural-born British subject, except as the capacity of being a member of the privy council or of either of the houses of parliament, and any other rights or capacities that may be specially excepted in and by such certificate. In the United States, the applicant must be a free white person, and have resided in the country for the continued term of five years next preceeding his admission, and one year at least within the state or territory where the court is held that admits him. Two years at least before his admission, he must declare, upon oath or affirmation, before a court of record, his intention of becoming a citizen.

NATURAL THEOLOGY.—That branch of moral science which treats of the being, attributes, and will of God, as deducible from the various phenomena of created objects. It is a science of great simplicity, and a vast multiplicity of obvious and decisive evidences is everywhere found for its illustration. No thinking man can doubt that there are marks of design in the universe; and any enumeration of the instances in which this design is manifest appears at first sight to be both unnecessary and impossible. A single example is as conclusive as a thousand, and he that cannot perceive any traces of contrivance in the formation of the eye will probably retain his atheism at the end of a whole system of physiology. The ancient sceptics appear to have had nothing to set up against a designing Deity but the obscure omnipotency of chance, and the experimental combinations of a chaos of restless atoms. The task of theistic philosophers was, therefore, easy in those days; and though their physical science was neither correct nor extensive, they seem to have performed it in a bold and satisfactory manner. They appealed directly to the order and symmetry of nature, and to the regularity and magnificence of the grand structure of the universe. With the advance of physical science, natural theology was not at first strengthened. Elated with their discoveries, philosophers fancied that they had discovered the great secret of nature, and ascribed imaginary qualities and energies to different classes of bodies, thus creating a system of materialism instead of venerating the great Contriver of the whole.

This error, however, was soon rectified by the progress of those very speculations by which it had apparently been produced. When men began to reason more correctly upon the appearances and phenomena of nature, they perceived still more wonderful indications of the contrivance and design of the great Creator. This principle of philosophical piety was carried by Boyle and Newton into all their speculations. The microscopical observers caught the same spirit. Ray and Derham successively digested all the physics of their day into a system of natural theology. In the more recent works of Paley and Chalmers, the science has been presented in the most interesting and instructive forms.

NAVAL CADETS.—Youths training for service as officers in the Royal Navy. (See CADET, NAVAL.)

NAVAL RESERVE, ROYAL.—A force of trained men, ready to man our fleet in time of emergency. (See NAVY.)

NAVIGATION LAWS.—The name usually given to those enactments by which commercial states have endeavoured to regulate the shipping which left or visited their ports, naturally with a view always to favour and promote their own commerce. The origin of the navigation laws of this country may be traced as far back as 1379, in the reign of Richard II., when a statute was passed prohibiting the king's subjects from importing or exporting merchandise except in English ships. Various subsequent enactments of the same nature were passed; but the navigation laws of England, strictly so called, originated in the time of Cromwell. In 1650 an act was passed prohibiting all ships of all foreign nations whatever from trading with the plantations of America without having previously obtained a license; and in the following year (9th October, 1651) the famous "Act of Navigation" was passed, declaring that no goods whatever of the growth, production, or manufacture of Asia, Africa, or America, should be imported either into England or Ireland, or any of the plantations, except in ships belonging to English subjects, and of which the master and greater part of the crew were also English. It further enacted that no goods of the growth, production, or manufacture of any country in Europe should be imported into Great Britain except in British ships, or in such ships as were the real property of the people of the country or place in which the goods were produced, or from which they could only be, or most usually were exported. The great object of these enactments was to strike at the great commercial power of the Dutch. They were also adopted by the government on the Restoration, and formed the basis of the Act 12 Car. II. c. 18, which continued down to a recent period to be the rule by which our naval intercourse with other countries was mainly regulated, and has been designated the "Charta Maritima" of England. The first deviation from the system was effected by a treaty concluded in 1815 with the United States of America, by which the ships of the two countries were placed reciprocally upon the same footing in England and the United States, and all discriminating duties chargeable upon the goods which they conveyed were mutually repealed. In 1822, Mr. (subsequently Lord) Wallace, then president of the Board of Trade, introduced several bills into parliament which mitigated, to a large extent, many of the

provisions of the law; and in the following year Prussia notified that unless an alteration of our system was made in favour of her vessels, similar heavy duties would be imposed upon British shipping that should enter any of her ports, a proceeding which it was evident would soon be followed by other countries, and thus led to the passing of the Reciprocity Acts (4 Geo. IV. c. 77, and 5 Geo. IV. c. 1). These statutes authorized the crown to permit the importation and exportation of merchandise in foreign vessels at the same duties as were chargeable when imported in British vessels, in favour of such countries as should not levy discriminating duties upon merchandise carried into their ports in British vessels; also to levy upon the vessels of such countries when frequenting our ports the same tonnage rates as were chargeable upon our own vessels. Various subsequent alterations were made, and at length, by 12 & 13 Vict. c. 29, the entire fabric of the restrictive system was swept away in 1850, except the monopoly of the coasting trade, which continued to be secured to British vessels till 1854, when it too was abolished by 17 & 18 Vict. c. 5. The former of these acts declares that ships which are not of British build may become British ships by registry, if wholly owned by British subjects, and that any ships may bring to England any merchandise; excepting, however, that the king or queen of England, by order in council, may interpose such changes, restrictions, or prohibitions upon ships of any country, as will put the ships of that country, when in British ports, on the same footing on which British ships stand in the ports of that country. Thus foreign vessels are now generally allowed a free commercial intercourse with this country upon terms of perfect equality with our own vessels, a concession, however, which may be confined to such nations as, on the other hand, concede to us reciprocal and equal freedom.

NAVY, *navi*-ve (from Lat., *navis*, a ship).—A term which, in its more extended sense, is applied both to the military and mercantile marine of any nation; but it is generally restricted to that signification in which it embraces solely the ships and naval material of war possessed by any of the powers. The composition of a navy is divided into separate classes: the first comprising *matériel*, which regards the bare construction, armament, and equipment of ships of war; the second division, or *personal*, embraces all matters that relate to the various ranks, appointments, and duties of the officers, seamen, and marines.

The British Navy.—The following is a list of the principal vessels now (1883) composing the British Navy:—

Ironclads and Steel Turret-Ships.—Six immense turret-ships, the *Dreadnought*, the *Devastation*, the *Inflectible*, the *Thunderer*, the *Majestic*, and the *Colossus* (the last almost complete). The objects aimed at in the construction of these mighty vessels are, to enable them to carry the heaviest possible guns, to turn easily in the water, and to be able to carry large supplies of coal. The *Inflectible* is the principle of this class of ships may be to some extent taken as the type. She was built at Portsmouth, and is 320 feet long, and 73 feet broad at water-line. In the centre is a rectangular, armoured castle, which has walls 41 inches thick, and contains all the boilers, engines, loading-gear, powder, the bases of the turrets, &c. Each turret carries two 61-ton guns, capable of discharging 300 lbs. of powder, and a 1500 lbs. shot. The *Colossus* and the *Majestic* are built of steel, instead of iron, and the *Dreadnought*, *Devastation*, and *Thunderer* are iron.

Ironclads and "Rams" of a smaller size.—Eleven ships, of which the principal objects may be described as great ramming power, and in the case of the *Polyphemus*, the discharge of torpedoes. Nearly all the ironclads can act as "rams," but in the *Glutton*, the *Hotsper*, and the *Rupert*, this is the principal object, although they also carry very heavy guns. The names of these ships are *Neptunus*, which has four 35-ton guns; *Agamemnon*, *Ajar*, *Superb*, *Bellicose*, *Orion*, each with four 25-ton guns; the *Glutton*, with two 25-ton guns; the *Rupert*, with two 18-ton guns; *Hotsper*, with one 25-ton gun; the *Conqueror* (almost complete), built of steel, with four 25-ton guns; and the *Polyphemus* (of steel), with no guns, but with a very powerful ram, and capable of discharging the deadly Whitehead torpedoes.

Ironclad Frigates and Rigged Ships for cruising, the principal of which is the *Monarch*, with four 25-ton guns and two 61-ton guns; the *Hercules*, with eight 18-ton guns, two 12-ton guns, and four 14-ton guns; the *Sultan*, with eight 18-ton guns and four 12-ton guns; the *Alexandra*, with two 25-ton guns and ten 18-ton guns; the *Temeraire*, with four 25-ton guns and four 18-ton guns; the *Collingwood* (of steel), with four 25-ton guns; the *Nelson*, with four 18-ton guns and eight 12-ton guns; the *Northampton*, with four 18-ton guns and eight 12-ton guns; the *Shannon*, two 18-ton guns and six 12-ton guns; the *Bellerophon*, ten 12-ton guns and four 61-ton guns; the *Adoniam*, fourteen 12-ton guns; and the *Penelope*, the *Swiftsure*, the *Iron Duke*, the *Triumph*, and the *Invincible*, all of smaller build, and each carrying ten 12-ton guns. In addition to these there are several unarmoured ships, of which three, the *Shah*, the *Raleigh*, and the *Incubant* are the largest; they are built of iron, but cased with wood. The *Shah* is reported the fastest vessel in the navy. In addition to these, there are about 30 armour-clad vessels, some of which were deemed very effective in their day, but, by reason of the rapid march of naval architecture, now deemed quite inefficient, and only available for coast defences. Of these the best are—*Achilles*, *Warrior*, *Minotaur*, *Black Prince*, *Agincourt*, *Northumberland*, *Hector*, *Vulcan*, *Resistance*, *Defiance*, the *Lord Warden*, a wooden ship. There are also 7 troop steamships, 3 store ships, about 40 steam tenders, 9 drill ships for Naval Reserve, making altogether a total of about 250 vessels, which, however, varies slightly from year to year, as some are broken up and new ones added.

The Personnel of the Navy.—It may be stated, according to the estimates of 1883-4, that, including 17,400 Royal Marines, there are 57,250 men employed on sea and coast-guard services. In addition to which there are 11,356 men in the first-class Naval Reserve, and liable to be called out on any emergency to man the ships of war. There are also 6,000 men in the second-class reserve. The Admiralty Board consists of the first lord (who is always a member of the Cabinet), and four junior lords, besides a financial secretary, who has a junior under him. By the orders of these officers, all ships of the navy are built, sold, or broken up, commissioned, employed, and paid off. By them, also, are all appointments and promotions made or approved of; and honours, pensions, and gratuities are granted on their recommendation. There are two orders of men in the navy: namely, seamen and marines; there are also commissioned, warrant, and petty officers. The commissioned officers are admirals, captains, commanders, and lieutenants.

Navy Estimates.—The cost of the navy to the country is between 10,000,000 and 11,000,000 annually (10,757,000 for 1883-4), including amounts for building new ships.

Royal Naval Reserve.—An auxiliary force to the Royal Navy, consisting of men liable to be called out in time of emergency to serve on board our men-of-war. The force was instituted in 1859. The men are engaged for a period of five years, and are bound to be trained for 25 days every year in naval tactics and in the use of arms. They must have been five years at sea, and have served for at least one year as able seamen. They are entitled to 26 a year as retaining fee during their 25 days' service to the same wages as men in the Navy. There are on an average nearly 18,000 men in the first and second Naval Reserve.

NAZARENE, *naz-a-rec'*.—A term of contempt frequently applied to Christ and his first

disciples, from Nazareth, the place of His residence, a poor town in the despised region of Galilee. The sect of the Nazarenes arose in the 2nd century, and, being Jewish Christians, they set great value upon the Law of Moses, and insisted upon the necessity of combining it with the religion of Christ. They disappear about the 4th century. The "gospel of the Nazarenes" was a Hebrew translation of St. Matthew's Gospel.

NAZARITE, *naz'-a-rite*, among the ancient Jews, was one who for a certain period, or for life, devoted himself to the service of Jehovah, by observing a more than ordinary degree of purity. Samson and John the Baptist were Nazarites. During their vow they did not cut their hair, and abstained from wine and all manner of strong drinks, and from contact with the dead.

NECESSITY. (See FREEWILL.)

NECROMANCY, *ne'-kro-man-se* (Gr., *nekros*, and *mantheia*, divination).—The divination of the future by consulting the spirits of the dead. The origin of this pretended art extends far beyond the limits of history. It is generally believed to have arisen in Egypt at a very early period, and to have been from hence carried into most of the other countries of antiquity. The Jews, doubtless, became acquainted with it here, and we find it repeatedly, and in very severe terms, condemned in the Old Testament by Moses and others (Deut. xviii. 11, 12). In 1 Sam. xxviii. 3-8, we have an account of the witch of Endor's pretended raising up of the spirit of Samuel before Saul. In the eleventh book of the "Odyssey," Homer makes Ulysses raise the shade of Tiresias from the infernal regions. In the sixth book of the "Æneid" of Virgil we have an account of the descent of Æneas into Hades, another form which necromancy sometimes took among the ancients. The Greek satirists did not neglect to aim their shafts at this art; and in the "Frogs" of Aristophanes, and particularly in Lucian's "Menippus," we have elaborate and amusing descriptions of the ceremonies attending the invocation of the dead and the entrance of the living into Hades. The priesthood usually claimed to be the medium of communication between the living and the dead, and the art was practised with peculiar and imposing ceremonies, which could not fail to greatly impress the beholder. The necromancer surrounded himself with mysterious emblems; a multiplicity of rites preceded the evocation of the spirit; and, above all, solitude and darkness, so potent in their influence over the imagination, were regarded as essential to success. The Thesalian evokers of spirits performed their rites with many revolting atrocities, and not unfrequently butchered men in order to consult their spirits before they had time to hasten down to the regions of the dead. The establishment of the Christian religion brought necromancy under the ban of the Church; and the Emperor Constantine prohibited, under severe penalties, the evocation of the dead. The necromancer of the middle ages seems to have merged in the sorcerer, who, by means of potent spells, summoned demons and infernal spirits to his aid. Modern spiritualism has made this form of sorcery fashionable. (See SPIRITUALISM.)

NE EXEAT REGNO, *ne eks'-e-at reg'-no* (Lat., that he may not leave the kingdom).—A

writ issued against a person who owes an actually due equitable debt and is meditating a departure from the realm, to prevent his flight without the queen's license. The motion for the writ, except in some special cases, requires to be supported by an affidavit as to the debt, and the defendant's intention to go abroad; and the person, when arrested, may obtain his liberty by either depositing the amount indorsed upon the writ, or by executing a bond, with two sufficient sureties in double that sum, not to leave the country.

NEGATIVE, *ney'-a-tiv* (Lat., *negativus*, negative; from *nego*, I deny). (See LOGIC.)

NEHEMIAH, BOOK OF, *ne-he-mi'-ah*.—The title of one of the Books of the Old Testament, whose author, Nehemiah, flourished about 444-405 B.C. He was sent by the Persian monarch, to whom he was cup-bearer, to rebuild the wall of Jerusalem, after the return from the captivity, and "to seek the welfare of the children of Israel." The book, therefore, contains a narrative of the transactions in which he bore a principal part, and the reforms effected by him. It may be divided into eight parts:—1, the departure of Nehemiah from Shushan, furnished with a royal commission to rebuild the walls of Jerusalem, and his arrival there (i. ii. 1-11); 2, an account of the building of the walls and gates of the city, notwithstanding the obstacles interposed by the Samaritans (ii. 12-20, iii.-vii. 4); 3, a register of the exiles who first returned from Babylon, and an account of oblations at the temple (vii. 5-73); 4, a solemn reading of the law by Ezra, at the feast of Tabernacles (viii.); 5, a solemn fast and repentance of the people, and renewal of the covenant with Jehovah (ix. x.); 6, a list of those who dwelt at Jerusalem and in other cities, register and succession of the high priests, chief Levites, and principal singers (xi. xii. 1-26); 7, the dedication of the city walls (xii. 27-47); 8, the correction by Nehemiah of abuses which had crept in during his absence (xiii.). This book was once connected with, and formed part of, the book of Ezra; and hence some ancient writers called it the second book of Ezra or Esdras, and even regarded that learned scribe as the author of it. There can be no reasonable doubt, however, that it proceeded from Nehemiah, for its style and spirit, except in one portion, are wholly unlike Ezra's. Nehemiah was unquestionably, and in the strictest sense, the author of the earlier portion down to chapter vii. 4, the greater part of what follows being evidently compiled from reports. The canonical character of the work is established by very ancient testimony.

NEOPHYTES, *ne'-o-phytes* (Gr., *neos*, new *phuton*, growth).—In the Eleusinean and other mysteries, a term applied to such as had been newly initiated, and among the early Christians it was applied to those who had newly turned from heathenism and adopted the principles of the Christian Church. It was also applied to new priests, or those just admitted into orders, or novices in monasteries or nunneries, and is still by Roman Catholic missionaries applied to converts from the heathen.

NEO-PLATONISTS, *ne'-o-plat'-ton-ists*.—A school of philosophers who flourished in Alexandria during the 3rd, 4th, and 5th centuries, and whose founder is by some considered to have been Philo Judæus, who lived in the 1st

century, and by others, Ammonius Saccas, who commenced his philosophic teachings about the commencement of the 3rd century. Taking the sublimer doctrines of Plato as a basis, this school endeavoured to form a new philosophy, which should not only establish an agreement between Plato and Aristotle on all leading points of speculation, but also harmonize the Grecian and Oriental modes of thought. Writers on the history of philosophy have divided Neo-Platonism into several periods, the simplest division being that which groups them under the head of *Eclectics*, or immediate disciples of Philo Judæus, and *Mystics*, the disciples more or less immediate of Ammonius Saccas. Neo-Platonism sought to blend in one grand system all systems of philosophy, all systems of religion; but, after having made a compromise with so much, one enemy remained with whom it would not hear of peace, and this was Christianity; the great offence of Christianity being, in the eyes of the Neo-Platonists, that it was not equally tractable with other religious schemes, but asserted its claims as the only true religion. A fierce conflict, consequently, took place between Neo-Platonism and Christianity. The last eminent philosopher of this school was Proclus, in the 5th century. The value of Neo-Platonism consisted in its endeavour to preserve the whole treasure of every system of philosophy; since it is, in truth, an advance of philosophy, to have gained a large store of different ideas, and a wide review of the different directions of philosophical thought.

NESTORIANS, *nes-to'-re-anz*.—The followers of Nestorius, a bishop of Constantinople in the 5th century. In strenuously opposing certain errors of his time regarding only one nature in Christ, he went to the other extreme, and maintained not only that he was both God and man, but that the two natures were distinct, and that the actions and sensations of Christ as the Son of God were to be carefully discriminated from those as Christ the Son of Man. Hence he objected to the Virgin Mary being styled the mother of God, because it was only the human nature of Christ that was born of her, seeing that God could neither be born nor die. His opinions were vigorously combated by St. Cyril, bishop of Alexandria, and were condemned by several councils, Nestorius himself being declared guilty of blasphemy, deprived of his bishopric, and sent into banishment. His followers, however, continued to increase, and his doctrines were propagated throughout the East, particularly in Persia. A famous Nestorian School was established at Nisibis, and before the close of the 6th century the heresy had spread over Chaldaea, Assyria, Syria, Egypt, Arabia, &c. In 1551 a dispute arose among them respecting the election of a patriarch; and at that time a section of them became reconciled to the Church of Rome, and their patriarch was consecrated by the pope. These united Nestorians are now commonly known as Chaldean Christians, and are under a patriarch residing at Diex (always chosen from the same family, and assuming the name of Schamun, or Simon), and 18 bishops, who, with the patriarch, must be celibates, but the ordinary clergy are permitted to marry. They recognize seven sacraments, observe many fasts, and pray for the dead, but reverence no images or symbols, except that of the cross. They are about 140,000 in number, and inhabit Kurdistan. The non-united Nestorians still remain as a distinct body,

and inhabit principally the western part of Persia, amounting to about 70,000. At Travancore, in India, is a Nestorian church, with about 100,000 members, formed by the early migrations of the sect, and known as Syrian Christians.

NETLEY HOSPITAL.—A very large building, named the Royal Victoria Hospital, erected on the shore of Southampton water, for the reception of invalid soldiers. There is provision for 1,000 patients, and a large medical staff is attached. There are in connection with the hospital a Medical School, and the headquarters of the female nurses of the army. The foundation-stone of the hospital was laid by the Queen on the 10th of May, 1856.

NEUTRALITY, *nu-tral'-et-e*. (See **LAW OF NATIONS**.)

NEW JERUSALEM CHURCH. (See **SWEDENBORGIANS**.)

NEW PLATONISTS. (See **NEO-PLATONISTS**.)

NEW YEAR'S DAY.—The first day of the year probably has for many ages, and among various nations, been celebrated as a religious and social festival. With the Jews, the new year began with the autumnal month Tishri, and the first day of it was observed with considerable ceremony, being regarded as that on which Adam was created. Among the Romans, new year's day was a special holiday; sacrifices were offered to Janus, friendly salutations were exchanged, presents were bestowed, and the success of any affair on that day was regarded as a good omen for the whole year. The presents thus bestowed on some of the emperors formed an important branch of their personal revenue. In ancient Britain, the Druids were accustomed to distribute branches of the sacred mistletoe, cut with peculiar ceremonies, as new year's gifts among the people; and, according to Bishop Stillingfleet, the Saxons of the north observed the festival with more than ordinary jollity and feasting, and by sending gifts to one another. The Church was very much opposed to these ceremonies, which she regarded as pagan institutions, and various ecclesiastical councils pronounced anathemas against them. Notwithstanding this, however, they continued to be observed, and during the Middle Ages the interchange of presents among kings and their powerful vassals was a distinguishing feature of the first day of the year. In Germany, and throughout the Continent of Europe, many ceremonies, derived from old superstitions, are still in vogue. New year's day, as being among the heathen a period of licentiousness and revelry, was observed by the early Christians as a season of fasting and humiliation. In the course of the 7th century it came to be called the Festival of the Circumcision, being the eighth day after, or, as it was termed, the octave of the Nativity, though some are of opinion that the name had an earlier commencement. (See **CIRCUMCISION**, **FEAST OF**.) In this country religious services are frequently conducted on new year's eve and concluded a few minutes past twelve. These services are known to the Methodists as "watch-nights."

NICE, COUNCILS OF. (See **COUNCILS**.)

NICENE OR CONSTANTINOPOLITAN CREED, *ni-see'-*.—A creed chiefly com-

posed by the orthodox fathers of the first general council of Nice, which met A.D. 325, to define the Christian faith, in opposition to the heresy of Arius. As sanctioned by this assembly, it ended with "I believe in the Holy Ghost." The remainder was added by the second general council, held at Constantinople, A.D. 381, in which the heresy of Macedonius with regard to the divinity of the Holy Spirit was condemned. It was received into the Oriental liturgies about the end of the 5th century, and in those of the Western churches at a later period. It is recited in the communion service of the Church of England. In the Church of Rome it is recited at all the principal services.

NOBILE OFFICIUM, *no'-bi-le of-fish'-i-um*.—In the Scotch Law, a term expressing the prerogative right of the High Court of Session to exercise jurisdiction in appointing guardians for young children and lunatics, and for other purposes.

NOBILITY, *no-bil'-e-ty* (Lat., *nobilitas*).—In political government is a term used to denote a class of persons entitled to certain civil honours and privileges above the mass of the people, by no other right but that of birth. This institution is of very remote antiquity, and is to be found existing among almost every people at the dawn of history. Among the Romans, the patrician families who formed the nobility had for a long period the exclusive right to exercise priestly functions. Afterwards, as in Europe during the Middle Ages, the military chieftains chiefly formed the nobility. Hereditary nobility is said to have been confirmed in France by Hugh Capet towards the close of the 10th century, and was fully established in England by William the Conqueror in the 11th century. In this country the orders of nobility are five—namely, dukes, marquises, earls, viscounts, and barons. (See *PRIESTHOOD*.) The privilege of placing a family in the rank of the nobility is vested solely in the sovereign, and is done by letters patent. In the different countries of modern Europe, the nobility are of various ranks and titles, and have various privileges belonging to them. In France all distinctions of nobility were abolished at the time of the great revolution; but in 1808 the Emperor Napoleon created a new nobility with titles descending to the eldest sons, and the old nobility was revived at the restoration. All marquises and viscounts held pre-revolution titles, none having been created in later times. In Italy, nobility does not, for the most part, originate from the pleasure of the sovereign, but from the municipal authorities of the chief towns, who do not, however, confer titles. The nobility of Spain pride themselves on their descent from warriors and conquerors only. (See *GRANDEE*.) The names and titles of heiresses of the nobility are assumed by their husbands; and titles as well as estates, go only to heirs of entail. In the United States of North America, and some other modern communities, there is no nobility in any respect resembling that of Europe, office and wealth alone giving power and influence.

NOCTURN, *nokt'-urn* (Lat., *nocturnum*, by night).—Psalm and three lessons recited in some of the services of the Roman Catholic Church.

NOLLE PROSEQUI, *no'-le pros'-e-qui* (Lat., to be unwilling to prosecute).—A proceeding by which a plaintiff withdraws from the

further prosecution of his suit, when he has either misconceived the nature of the action or mistaken the proper party to be sued.

NOETIANS, *no-e'-sh-ans*. (See *PARIPAS-SIANS*.)

NOMINALISTS, REALISTS, CONCEPTUALISTS, *nom'-nal-ists, re'-al-ists, kon-sep'-tu-al-ists*, were three prominent and conflicting sects among the scholastic philosophers. The contest turned upon the nature of general terms, or *universals*. While all parties agreed that the object of the science of logic was universals, they differed upon the question as to whether these universals were *real* things, or only *names*. The Nominalists maintained that the so-called universal ideas do not stand for any conception of the mind, still less for any entity out of it, but are merely verbal signs; that there is no such thing as an abstract animal, or a tree in general, but only individual animals and trees; that, in fact, there is nothing in the universe of matter or mind but separate individualities. The Realists, on the contrary, affirmed that universals were not mere figments of language, but that they have an objective existence, are incorporeal realities, the essences or types of things, not to be confounded with the things themselves. Conceptualism was proposed as an intermediate doctrine between the two extremes. It gave to universals a logical or psychological existence, as mental conceptions. The Nominalists cited Aristotle as their authority; the Realists adduced Plato. The former maintained that particulars are the only real substances, and that general ideas are abstractions of the human reason. Plato, on the other hand, believed in the eternal existence of ideas. (See *IDEA*.) Logic with Aristotle was the science of names and notions; with Plato, of names and realities. Roscelin, or Roselinus, a canon of Compiègne in the 11th century, was the first to give a distinct and complete development to Nominalism. His opinions were believed to affect the doctrine of the Trinity, and were condemned by the Synod of Meissen, 1092. He was attacked by Anselm in a work on the Unity of the Trinity; but Anselm's realism was of an undecided and incomplete character. Abolard was a follower of Roscelin, and his influence greatly increased the numbers of the Nominalists. Nominalism had become nearly extinct, when it was revived by William of Occam, an English Franciscan of the 14th century. The contest was renewed with the greatest fury in the schools of Britain, France, and Germany; and when words failed to carry conviction, fists, and even clubs and swords, were had recourse to. Afterwards Realism became identified with the cause of the pope and the Church, and flourished in Italy; while Nominalism became associated with the political movement against the power of the papacy, and was generally received throughout the Continent of Europe. However, in 1473, Louis XI. of France prohibited the teaching of Nominalism, and ordered the books which favoured it to be seized and bound in chains in the public libraries. At length the revival of letters and the advent of the reformation put an end to the fiercest controversy that has been known to prevail in philosophical speculation.

NONAGE, in Law. (See *INFANT*.)

NON-ASSUMPSIT, *non-as-sump-sit* (Lat., he has not promised).—A plea by way of traverse

in the action of *assumpsit* or promises, whereby a man denies the existence of any promise to the effect alleged in the declaration, &c.

NON-COMMISSIONED OFFICERS.

—In the Army, an important class of subordinate officers, holding an intermediate position between officers of the superior grade holding commissions, and the rank and file. They are generally promoted from the ranks on account of ability and good conduct; and the proper performance of their duties, in superintending and directing the work of the private soldiers, is most important. In the British army, the non-commissioned officers are the sergeants-major, sergeants, trumpeters, drummers, and buglers, and, in the Life-guards and Horse-guards, the corporals. They enjoy several privileges, such as quarters for their wives, or lodging-money instead. In the British army there are about 21,000 non-commissioned officers. A similar grade of sub-officers exists in most of the continental armies.

NONCONFORMISTS, *non-con-form'-ists*.

—A term applied to Protestant dissenters from the Church of England. (See DISSENTERS.)

NON EST INVENTUS, *non est in-vent'-us* (Lat., he is not found).—The term applied to a sheriff's return to a writ of *capias*, when the defendant is not to be found in his bailiwick.

NONE, *none*. (See CANONICAL HOURS.)

NONJURORS, *non-ju'-rors* (Lat., *non*, not; *jurō*, I swear).—The rise of the political party known by this name took place at the commencement of the year 1689, when, on the accession to the English throne of William and Mary, new oaths of allegiance and supremacy having been enjoined to be taken by the members of each House of Parliament and all public functionaries, certain temporal and spiritual lords, as well as many of the clergy, refused to take them. In the bill for settling the oaths, as framed by the Lords, it was provided that whilst all lay functionaries should be required to swear fealty to the king and queen, on pain of expulsion from office, every divine who already held a benefice might continue to hold it without swearing, unless there should appear to be special reasons for calling upon him to do so. The Commons, however, insisted on the introduction of a clause which required every person who held any ecclesiastical or academical preferment to take the oaths by the 1st August, 1689, on pain of suspension. Six months, to be calculated from that day, were to be allowed him for reconsideration; but if, on the 1st February, 1690, he still continued obstinate, he was to be finally deprived. The two parties into which the clergy were divided came to be called the "swearing clergy" and the "nonjurors," and the former class numbered twenty-nine thirtieths of the whole, being especially strong in the metropolis, where almost all the divines gave in their adhesion with every sign of cordiality. The clergymen and members of the universities who incurred the penalty of the law were about 400, including the primate, and the bishops of Ely, Norwich, Bath and Wells, Gloucester, Chichester, and Peterborough.

NON-RESIDENCE.—An offence against Ecclesiastical Law, consisting in the continued absence, from the parish or district where clerical duties are to be performed, of a clergyman holding a benefice. The penalties for non-residence, except for some recognized and lawful reasons,

are regulated by 1 and 2 Vic. c. 106, which enacts that an incumbent absenting himself without the bishop's license for a period exceeding three, and not exceeding six months, forfeits one-third of the annual income: if the absence exceed six, and does not exceed eight months, one half is forfeited; and if it be of the whole year, three-fourths of the income are forfeited.

NON-RESISTANCE, *non-re-sist'-ans* (Lat., *non*, not; *resisto*, I stand against).—The doctrine of non-resistance is a correlative of, and almost identical with the doctrine of divine right, which maintains that the Supreme Being has hereditary monarchy with more favor than any other form of government; that the succession in order of primogeniture is a sacred institution; that no human power, nor law, can deprive the prince of his rights; and that the laws by which, in England and other countries, the prerogative is limited, are to be regarded merely as concessions, which the sovereign has freely made, and may at his pleasure resume. These doctrines were first adopted as a political creed in the reign of James I.; but they had been many years before enunciated by the Anglican reformers as a barrier against the disaffection of those who adhered to the ancient religion, and as a means of exhibiting their own loyalty. It should be observed that the advocates of the doctrine of non-resistance, whilst denying the abstract right of resistance to even the unlawful commands of a sovereign, did not maintain the duty of yielding them an active obedience.

Non-Resistance Oath.—The Corporation Act of 1661 contained a declaration that it is unlawful to take arms against the king upon any pretence whatever; but this clause was repealed in 1719.

NONSUIT, *non'-sute* (Fr., *non suit*; Lat., *non*, sequitur, he does not pursue).—In Law, is the renunciation of a suit by the plaintiff or demandant, most commonly upon the discovery of some error or defect, when the matter is so far proceeded in as that the jury is ready to deliver their verdict. When the jury return to the bar, after having agreed upon their verdict, the plaintiff is bound to appear in court by himself, attorney, or counsel, in order to answer the amercement to which, by the old law, he was liable if he failed in his suit. If he does not appear, no verdict can be given, and the plaintiff is said to be nonsuit. It is usual for a plaintiff, when he or his counsel perceives that he has not given sufficient evidence to maintain the issue, to be voluntarily nonsuited, as he may then commence the same suit again for the same cause of action, from which he is for ever barred by a verdict, unless the judgment be reversed as erroneous. In a nonsuit, the jury are discharged from finding a verdict, and the plaintiff has to pay the costs of the suit. It is also usual for the judge to direct a nonsuit if, upon the whole case in support of the action, he is of opinion that there is no evidence which would justify the jury in returning a verdict for the plaintiff.

NORMANDY, CUSTOMARY LAWS OF.—The most famous of the codes, founded on popular custom and formally sanctioned by the king, by which the ancient provinces of France were governed. The *Coutumes de Normandie* was first embodied as a written code in 1229; and was revised and modified in 1585. It forms the basis of the law by which Jersey and Guernsey are now governed.

NORTH ADMINISTRATION.—Lord North was appointed First Lord of the Treasury and Chancellor of the Exchequer in January, 1770, succeeding the Duke of Grafton as head of the ministry. Lord North's administration existed throughout the whole of the war with America; and on his resignation in March, 1872, he was succeeded by the Earl of Shelburne.

NOT GUILTY.—The form in which the jury in a criminal prosecution return their verdict when they acquit the person charged with an offence. When this verdict has been returned, the accused cannot be again brought to trial on the same charge. In Scotch Law, a verdict "not proven" implies that although there appear to be some foundation for the charge, the evidence is not strong enough to justify the jury in returning a verdict of guilty. Practically, it amounts to an acquittal, as the accused cannot be again tried, even if conclusive evidence of guilt is afterwards discovered.

NOTABLES, *noté-a-bis*.—A general name in France for persons of distinction or local importance, assemblies of which were sometimes called by the King, when the more constitutional States General were inconveniently disposed towards despotic views. The Duke of Guise and Cardinal Richelieu convened Assemblies of Notables in 1560, and 1626; and in 1787 another Assembly was summoned by Louis XVI., at the instigation of his minister, Calonne, and another Assembly met in 1788.

NOTARY, *notaire* (Lat., *notarius*, from *nota*, a note).—A term originally applied to one employed in taking notes of trials and other judicial proceedings. This was the case in ancient Rome. It is uncertain when notaries were first known in England; but we read of some charters of Edward the Confessor being executed by them for the king's chancellor. The licence of a notary-public in England requires a stamp of £30, in Scotland one of £20; besides costing £9 annually. Formerly, notaries were much employed in drawing up wills and other legal instruments; but now their business is chiefly confined to the attestation of deeds and writings of a mercantile kind, for making them authentic in other countries, and protesting bills of exchange. They also receive the affidavits of mariners and ship-masters, and sign their protests.

NOTICE, *no-tis* (from Lat., *notitia*).—The making something known that a person was or might be ignorant of. In Law, a notice is either (1) statutory, i.e., made so by legislative enactment; (2) actual, which brings the knowledge of the fact directly home to the party, by a person interested in the property; or (3), constructive or implied, which is no more than evidence of notice, the presumption of which is so violent, that equity will not allow its controversy. Constructive notice may be subdivided into—(a), where there exists actual notice of a matter, to which equity has added constructive notice of facts, which an inquiry after such matter would have elicited; and (b), where there has been a designed abstinence from inquiry, for the very purpose of escaping notice. Notice, whether actual or constructive, in order to be binding, must be received during the transaction sought to be effected by it.

NOTRE DAME, *notr dahm* (Fr., our Lady).

—An appellation of the Virgin Mary, to whom a very large number of churches are dedicated.

NOUN, *noun* (altered from Lat., *nomen*).—The name of one of the parts of speech into which grammarians have distributed the words of a language. A noun is the name of a thing, or, more accurately, the name of a notion or conception, whether general or particular. As we may have conceptions of substance or of attribute, nouns are either *substantive* or *adjective*. Again, as we have particular conceptions, or conceptions of individuals, and general conceptions, or conceptions of classes of individuals, nouns are either *proper* or *common*. In order to express unity or plurality of conception (number), the terminations of nouns undergo certain modifications of form: as *book, books; liber, libri*. In most languages there are two numbers, the singular and the plural, the former expressing one, the latter more than one; but in some languages, as in Greek, there is an intermediate number—the dual, used to express the conception of two objects. To express the relations of conceptions to each other, most languages make use of an inflection of the primitive form of the noun, called *case*; but the English language makes use of prepositions or juxtaposition. The number of cases of nouns varies in different languages, but it is rarely more than six.

NOVATIANS, *no-vai-she-anz*.—A Christian sect which arose about the middle of the 3rd century, and were called after their founder, Novatian, a presbyter at Rome, and a man of high reputation, who held that those persons who had denied the faith during the persecution of Decius (A.D. 249), ought not to be again received into the Church. When Cornelius was appointed bishop of Rome, Novatian was opposed to him, and was elected bishop by his own party; whence arose an open schism in the Church, which soon spread through almost every province of Christendom. From declaring only against the re-admission of the lapsed, they came to hold that all who had been guilty of gross sins after baptism should be for ever excluded from the Church. They did not, however, exclude them from all hopes of eternal salvation; but they considered the Christian Church to be a society of innocent persons, who had abstained from grievous sin since their admission. Hence, they re-baptized all who joined them from the Church. They disappeared about the 5th century.

NOVEL.—In Law, novels are those constitutions of the civil law which were made after the completion of the second edition of the Justinian Code (*Codex repetita praelectiones*), for the purpose of supplying what was deficient in that work. (See JUSTINIAN'S CODE.)

NOVICE, *nov-is* (Lat., *novus*, new).—A term applied to a person of either sex who is living in a monastery in a state of probation, previous to becoming a professed member of an order. The time of probation is called the novitiate, and must be at least one year; after which, if their behaviour is approved, they are professed—that is, admitted into the order, and allowed to make the vows.

NOVUM ORGANUM, *no-vum or-gan-um*. (See BACONIAN PHILOSOPHY.)

NOYADES, *no-yades* (Fr., *noyer*, to drown).—At the time of the great French Revolution, Carrier, the deputy of the Convention at Lyons,

drowned more than 7,000 persons, many of them children.

NUISANCE, *nu'-sans* (Fr., *nuire*, Lat., *nocere*, to hurt).—A Law term signifying anything that worketh hurt, inconvenience, or damage. Nuisances are of two kinds—(1) public or common nuisances, and (2) private nuisances. The former, as those which affect the public, and are an annoyance to all the queen's subjects, for which reason they are referred to the class of public wrongs or crimes. The offence consists in an encroachment on the common rights of the whole society; as where one obstructs the common highway, or sets up an offensive trade in the midst of a town. Private nuisance may be defined as anything done to the hurt or annoyance of the lands, tenements, or hereditaments of another, and not amounting to a trespass; as where one projects the eaves of his house over that of his neighbour, or stops or obstructs a right of way. It is a nuisance if a neighbour sets up and exercises any offensive trade, or keeps pigs or other noisome animals near the house of another; and, also, if a man by carelessness in excavating his own ground causes the fall of a house erected on land adjoining. If a ferry is erected on a river, so near another ancient ferry as to draw away its custom, it is a nuisance to the owner of the old one; but it is no nuisance to set up any trade, or a school, in neighbourhood or rivalry with another. Nuisance, whether private or public, is rather a tortious than a criminal act. The injury from it arises rather from a misuse of one's own than from abuse of or aggression on another's right; and it is, therefore, indirect or remote, as distinguished from actual invasion of another's property. It is not committed with force, either actual or implied. The remedy at law for the injury of nuisance is by action of trespass on the cause, in which the party injured may recover a satisfaction in damages for the injury sustained. The party aggrieved has also the right to abate the nuisance by his own act; that is, he may take away or remove it, provided he commits no riot in so doing, nor occasions (in case of a private nuisance) any damage beyond what the removal of the inconvenience necessarily requires. "The reason," says Blackstone, "why the law allows this private and summary method of doing oneself justice is, because injuries of this kind, which obstruct or annoy such things as are of daily convenience and use, require an immediate remedy, and cannot wait for the slow progress of the ordinary forms of justice." The "Nuisances Removal Act for England," 1855 (18 & 19 Vic. c. 121), authorizes the establishment of local Boards of Health, with power to examine by its own act or by a sanitary inspector, premises as to which suspicion exists or complaint is made, and to inspect articles of food exposed for sale, or in the course of carriage or preparation for sale or use, and to obtain an order from two Justices of the Peace in petty sessions (after summoning the offender before them), for the abatement or discontinuance of any nuisance that may be found on such premises, or for the destruction of any article of food so examined, which the Justices may deem unfit for the food of man. The Act has been amended by two acts subsequently passed.

NUMBERS, BOOK OF, is the name of the fourth Book of the Old Testament, being a

translation of the Greek name given to it in the Septuagint, *Arithmoi*, because it contains an account of the numbering of the people. In Hebrew it is called, after the usual practice, by the word with which it begins, signifying "and he spake;" also by the fifth word in the first verse, signifying "in the wilderness," because it narrates the transactions of the Israelites in the wilderness. It is the history of a period of thirty-eight years in the wilderness, opening with the second month of the year after the deliverance from the bondage of Egypt, to the eleventh month of the year of the same epoch; but it is chiefly devoted to the first and last of these years. The book is rich in fragments of ancient poetry, some of them of great beauty. The authenticity of this Book has frequently been called in question; and some critics, while admitting its genuineness, are disposed to give a mythical character to many of its parts; but its minute and straightforward narratives, and other internal marks, are strong objections to such an hypothesis, and it is received literally by the great majority of Biblical students. (See PENTATEUCH.)

NUNC DIMITTIS, *nunk dim-it'-tis* (Lat., now lettest thou depart), is the name of one of the hymns appointed to be sung after the second lesson at evening service of the Church of England. It is the song of Simeon (Luke ii. 29-32), and is so called from the two first words with which it commences in Latin. It was employed as a hymn at a very early period.

NUNCIO, *nun'-she-o* (Lat., *nuntius*).—A title which properly signifies one who bears news, a messenger; but is usually applied to a person sent by the pope to represent his holiness at a foreign court. A nuncio is, in fact, the pope's ambassador, as an internuncio is his envoy-extraordinary.

NUNCUPATIVE WILL, *nun-ku'-pa-tir*. (See WILL.)

NUNNERY. (See NUNS, MONASTERY.)

NUNS, *nunz* (Sax., *nunne*, a nun).—Women who devote themselves, in a cloister or nunnery, to a religious life. The name is said by Hospinian to be an Egyptian term, signifying a virgin; and at a very early period in the church there were women who made public profession of virginity, and were enrolled in the canon or matricula of the church, but they did not dwell in religious houses. They do not seem to have been absolutely forbidden to marry; but as celibacy and the monastic life rose in the esteem of the church, the censures against marriage became more stringent. The virgins were of great esteem in the church, and had some particular honours paid to them. Their persons were sacred, and severe laws were enacted against any that should presume to offer the least violence to them. The consecration was usually performed publicly in the church by the bishop. The virgin made a public profession of her resolution, and then the bishop put upon her the accustomed habit, part of which was a veil, called the *sacrum velamen*; hence the modern phrase, "to take the veil." They seem also to have worn a kind of mitre or coronet, and in some places the head was shaved, a practice condemned by the Council of Gangra. The first nunnery is said to have been founded by one St. Syncletica, a contemporary of St.

Anthony, in the 3rd century, and they soon spread throughout Europe. (See MONACHISM.) There are various orders of nuns, some devoting themselves entirely to private religious exercises, while others engage in the more active duties of Christian charity.

NYAYA, *ni-ah'-ya* (Sanskrit, *ni*, into; *aya*, going).—The second of the three great systems of

ancient Hindoo philosophy, treating analytically of the object of human knowledge both material and spiritual. It promises final deliverance of the soul from re-birth or transmigration, to those who acquire truth. Dr. Ballantyne has translated and annotated the Sanscrit text; and Mr. Colebrooke has published a learned essay on the subject, which is a valuable guide to the student.

O.

OANNES, *o-an'-nez*.—A god of the Babylonians, having the head and body of a fish; under the fish's head a human head, and human feet under the fish's tail. He is supposed to have instructed men in letters and in the arts and sciences. In appearance, the effigy resembles that of the Phœnician Dagon.

OATH, *oath* (Goth., *aith*; Sax., *ath*).—A solemn act by which one calls God to witness the truth of an affirmation or the sincerity of a promise, and imprecates divine vengeance if he be guilty of a falsehood or violate his promise. When the Jew took his most solemn oath, he laid his hand on the book of the law and swore by the God of Israel, by Him who is merciful and gracious; but the ordinary oaths were by heaven, the altar, the temple, or Jerusalem. The ancient Scandinavians and Germans swore by their gods, and it was usual, while repeating the oath, to lay the hand on some special object: thus, the Scandinavian touched a bloody ring held by the priest; the German swore by his sword or his board. In early Christian times, oaths were administered in chapels and other holy places, at the altars, which occasionally were rendered more sacred by placing upon them holy relics. Oaths to perform illegal acts do not bind, nor do they excuse the performance of the act. In civil law, oaths are divided into two classes—(1) assertory, or affirmative oaths (*juramenta assertoria*), establishing the certainty of a present or past event; and (2) promissory oaths (*juramenta promissoria*), which refer to a future event, a promise to execute some contract or undertaking. The breach of a promissory oath, whether public or private, is not punishable as perjury. The Acts 7 and 8 Will. III. c. 34, and 9 Geo. IV. c. 32, allowed Quakers and Moravians to give evidence upon their solemn affirmation; and by 3 and 4 Will. IV. c. 82, the like provisions were extended to Separatists. By 17 and 18 Vic. c. 125, any person called as a witness, or required or desiring to make an affidavit or deposition, who shall refuse or be unwilling from conscientious motives to be sworn, may obtain from the court (on its being satisfied of the sincerity of the objection) permission to make a solemn affirmation or declaration instead. Witnesses are allowed to swear in that particular form which they consider binding on their conscience: thus, Jews are sworn on the Old Testament, Mohammedans on the Koran, and Chinese break a saucer. The oath taken by members of Parliament has been recently modified in certain cases. (See JEWS and PARLIAMENT.)

Oath, Coronation. (See CORONATION OATH.)

Oath Military.—The oath which a recruit takes on entering the army or militia, to be faithful to the sovereign and implicitly obedient to his superior

officer, and also to make known any facts coming to his knowledge which might affect the safety of the sovereign, or that sovereign's Government.

OBADIAH, BOOK OF, *o-ba-di'-ah*, one of the minor prophets, and the shortest Book of the Old Testament, consisting only of twenty-one verses. Of the author nothing is certainly known, but in all probability the prophecy was delivered between the taking of Jerusalem by the Chaldeans (B.C. 588) and the destruction of Idumea, which took place a few years later; consequently, he was partly contemporary with Jeremiah. The almost verbal agreement between the first eight verses of this book and a portion of Jeremiah's prophecy (ch. xlix.) has led to the opinion that the former had been borrowed from the latter; but the more probable view (from a comparison of the two passages) seems to be that Jeremiah is indebted to Obadiah. Ewald is of opinion that both writers copied from some earlier prophet. The subjects of the prophecy are the judgments to be inflicted upon the Idumeans on account of their wanton and cruel conduct towards the Jews at the time of the Chaldean invasion; and the restoration of the latter from captivity.

OBÉ, OR OBI, *obeh*, a term given to the arts of magic or witchcraft practised by certain persons among the West Indian negroes.

OBIT, *o'-bit* (Lat., an *obitus*, death).—A funeral solemnity or office for the dead, most commonly performed when the corpse lies uninterred in the church; and also on the anniversary of the death of a benefactor. Thus, in many of our colleges the anniversary of the death of the founder is piously observed. In religious houses a register was usually kept, wherein were entered the obits or obitual days of the founders or benefactors, which was thence termed the obituary.

OBJECT AND SUBJECT, OBJECTIVE AND SUBJECTIVE, *ob'-ject, sub'-ject*, (Lat., *objectum, subjectus*).—Two sets of correlative terms much used in philosophy, and not always free from ambiguity. In philosophy there is a grand philosophical distinction, lying at the root of all knowledge, between that which knows (the subject) and that which is known (the object). The former is what is known among philosophers as the *Ego*, or conscious mind; the latter, as the *Non Ego*, or that which is known, with its modes and properties. The terms subject and object were, for a long period, not sufficiently discriminated from each other. We are indebted to the schoolmen of the Middle Ages for a sufficient distinction between them; but they gave them significations nearly the reverse of those which they now bear. Thus subjective denoted a thing considered as in-

herring in its subject, whether that subject were mind or matter, as contradistinguished from a thing considered as present to the mind only as an accidental object of thought. Even in the present day, in common language, a confusion between the two terms exists. Thus the word subject is used for that which is the object of thought or of discourse, the *materia circa quam* to which the term object ought to be exclusively applied. But a still greater abuse has crept in, and the term object is, in French and English, vulgarly employed for end, motive, final cause.

OBLATES, *ob'-latez*.—Certain religious bodies in the Roman Catholic Church (originally established by St. Charles Borromeo, near the end of the 16th century), which differ from the more strictly religious bodies in that they do not take the solemn vows by which the latter bind themselves.

OBLATIONS, *ob-lai'-shunz* (Lat., *oblaciones*), offerings to God and the Church, whether in lands or goods. Oblations were at first voluntary, and were given to maintain the church and those who served at the altar; but they afterwards, by continual payment, became due by custom, and at the great festivals every one was obliged to offer something, not only as convenient but as a duty. In the primitive churches, at the administration of the Lord's Supper, the communicants were requested to bring presents, called oblations, from which the sacrament of elements were taken.

OBLIGATION, *ob-le-gat'-shun* (Lat., *obligo*, I bind).—A bond containing a penalty with a condition annexed for payment of money, the performance of a covenant, or the like. It differs from a bill, which is generally without a penalty or condition, though a bill may be made obligatory.

OBLIVION, ACT OF, *ob-liv'-i-on*.—An Act passed in 1660 giving a free, general pardon, indemnity, and oblivion for all persons and State offences committed between January 1, 1637, and June 24, 1660. Regicides and certain Roman Catholic priests were excepted. A similar act was passed in May, 1690.

OBSCENE BOOKS, &c., *ob'-seen* (Lat., *obsceus*).—The exposing for public sale or view of any obscene book, print, picture, or other indecent exhibition, is, by 14 & 15 Vict. c. 100, punishable with fine or imprisonment, or both, with hard labour, at the discretion of the court; and by 20 & 21 Vict. c. 83, any two justices may issue a special warrant, authorizing the entry in the daytime, by force if necessary, of the police of the place in question, and the seizure and destruction of the articles stated, if the owner do not, to their satisfaction, show cause to the contrary.

OBSERVANTISTS, *ob-ser'-vant-ists*.—A branch of the Franciscan friars who, after the departure of the order from the strictness of its first rule, resolved to go back to its original acceptance; while the other party, who were called the Conventuals, preferred adhering to the relaxed regulations. (See FRANCISCANS.)

OBSERVATION, *ob-ser'-vat'-shun* (Lat., *observatio*).—The greatest instrument of discovery in mind and matter. It is usual to distinguish between observation and experiment—the former as having for its object facts which are

presented to us by nature without our interference; the latter, facts furnished by artificial contrivances.

OCCASIONALISM, *ok'-key'-zhun-al-izm*.—The system of philosophy devised by Descartes and the school of thinkers to which he belonged, for explaining the action of mind upon matter. (See CARTESIAN PHILOSOPHY.)

OCCUPANCY, *ok'-ku-pan-see* (from *occupo*, I occupy).—In Law, the taking possession of things which before did not belong to anybody. Thus, where a man finds a piece of land which no other person possesses or has a title to, and enters upon the same, he gains a title by occupancy. But this mode of gaining property of lands has long since passed away in England, and such lands belong to the Crown, and not to him who first enters. As regards goods and chattels, where such things are found without any other owner, they for the most part belong to the sovereign by virtue of the royal prerogative, except in some few cases, wherein the original and natural right of occupancy is still permitted to subsist. Thus, whatever movables are found upon the surface of the earth, or in the sea, and are unclaimed by any owner, are supposed to be abandoned by the last proprietor, and belong, as in a state of nature, to the first occupier or finder, unless they fall within the description of waifs, or estrays, or wreck, or hidden treasure; for these form a part of the ordinary revenue of the Crown. The finder is bound to restore the property found to the owner if possible; and if he keeps it when the owner may be reasonably ascertained, he will be guilty of larceny. The goods belonging to an alien enemy are the property of him that seizes them.

OCTROI, *ok'-troi* (Fr., *octroyer*, to grant).—A custom-duty imposed in France and other countries on certain articles entering large towns, a portion of which is frequently paid into the national treasury, whilst the remainder is applied to local expenses. The proportion of this tax paid to the treasury in France has varied at different periods; having been two-thirds, for example, in 1323, and a half in 1663; and in more recent times one-tenth.

Livre d'Octroi.—In old times in France, the right to levy this toll was often granted to subjects; and, as the payment was made, not in money, but in kind, the plan was resorted to of adding to the weight of the pound by one ounce, and this new weight was known as the *livre d'octroi*, whence comes our expression "pound troy." At a later period, the toll was levied in money.

Octroye.—A term applied to a constitution granted by a prince, of his free will, and not as a compact with the representatives of the people. Any public company possessing an authorized monopoly is said to be *octroyed*.

ODAL, or UDAL RIGHT, *o-dal'* (Celtic, *od*, property).—A system of absolute tenure of land which largely prevailed in Northern Europe before the establishment of the feudal system. It was founded on the tie of friendship rather than on the tie of service. The Odal tenure of land prevails to this day very largely in the Orkney and Shetland islands.

ODD FELLOWS, INDEPENDENT ORDER OF.—The name of a provident society existing chiefly in Great Britain and the United States. Some have attempted to trace the origin

of this association to a very early period, as to the Romans, to the Goths, and even to Adam himself. The more probable account, however, is, that it sprang from certain lodges or convivial societies of mechanics and labourers existing in London in the latter part of the 18th century, and calling themselves "Ancient and Honourable Loyal Odd Fellows." On the extension of the order to Liverpool and other parts, the lodges united in a general system, under the title of the "Union Order of Odd Fellows," having its seat of government in London. In 1813, a convention was held at Manchester, when several lodges seceded from the Union Order, and formed the "Independent Order of Odd Fellows." In 1825, a central standing committee was established in Manchester to govern the order in the interim between the sessions of the grand lodge, or national movable committee, as it is termed. Dissensions arose which led to secessions; but the "Manchester Unity" remains to this day the main body of British Odd Fellows, and numbers about 500,000 members in its lodges. The organization of the order bears a general resemblance to that of the Freemasons. The primary body is the subordinate lodge, which derives its power from a charter granted by the grand lodge, and must comprise at least five members, who must be males of at least twenty-one years of age. They make their own laws, and manage their own pecuniary affairs, collecting certain fixed dues from their members, paying a weekly allowance to the sick, and granting a stated sum for the burial expenses of a member, a member's wife, or any of his family. After initiation, a member may apply for, and receive, certain degrees conferring special titles by the paying of certain sums. The grand lodge derives a revenue from fees for charters, dispensations, and a percentage on the revenues of subordinate lodges. Its presiding officer is the grand-master, who is elected annually. There are many lodges in all parts of the British possessions, many exerting considerable political influence, in the United States, and one in Constantinople.

ECUMENICAL COUNCIL, *e-ku-men'-e-kul* (Gr., *oikoumene*, the habitable earth). (See COUNCIL.)

OFFER AND ACCEPTANCE.—A mode of entering into a contract of sale. When the offer to sell or buy is made by letter, the person offering is bound by law to wait until return of post; but if the other person desires him to consider the matter, the person offering is not bound to wait.

OFFENCE, *of-fend* (Lat., *offensus*, offence).—An act committed against the law, or omitted where the law requires it. It is used generically, comprehending every species of crime and misdemeanour, as well as specifically, to signify a crime not indictable, but punishable summarily, or by the forfeiture of a penalty.

OGULNIAN LAW, *o-gul'-ne-an*.—A law established in Rome, 300 B.C., by the tribunes Q. and Cn. Ogulnius, by which the number of the pontiffs and augurs was increased, and plebeians made eligible for these offices.

OLD TESTAMENT. (See BIBLE.)

OLÉRON, LAWS OF, *o-lai'-ron*.—A code of maritime law, *Jugements d'Oléron* compiled in France in the 13th century, founded on *II*

Consolato del Mare, which regulated the maritime law of Venice, and the other Mediterranean States, and anticipated some of the provisions of later international law. The name of the French code originated in an unfounded tradition that it was enacted by Richard I. of England, during the time that his expedition to Palestine lay at anchor off the island of Oléron, on the west coast of France.

OLIGARCHY, *ol'-e-gar-ke* (Gr., *oligos*, few, and *arche*, government).—That form of government in which the supreme power is vested in the hands of a few individuals, who form a party, rather than represent, as an aristocracy does, the real nobility and the influence of the upper classes of society. (See GOVERNMENT.)

OLIVETANS, *ol'-iv-e-tans*.—A religious order of the Roman Catholic Church, known also as the Brethren of Our Lady of Mount Olivet, an offshoot of the Benedictine Order, originating with John Tolomei, professor of philosophy in the University of Siena, early in the 14th century, who had been afflicted with blindness, but recovered his sight by what he believed to be a miraculous interposition. In company with a few friends, he retired to a solitary place near Siena, and devoted himself to a religious life. By order of the pope the Benedictine rule was adopted, and the Society rapidly increased in numbers. Tolomei was appointed general in 1319; and in course of time the brethren possessed 80 houses in different parts of Italy. They devoted themselves especially to the study of theology and the work of teaching, and many distinguished ecclesiastics were trained in their schools. Now there are only four establishments of the Olivetans.

ONOMANCY, *on'-o-man-se* (Gr., *onoma*, and *mantis*, divination).—A species of divination which foretells a person's good or bad fortune from the letters in his name.

ONTOLOGY, *on-tol'-o-je* (Gr., *ontologia*).—In Philosophy, the science of being. (See METAPHYSICS.)

ONUS PROBANDI, *o'-nus pro-ban'-li*.—A law term signifying the burden of proof, that is, of proving the allegations on which a suitor relies.

OPHITES, *of'-i-tees* (Gr., *ophitai*, serpent brethren).—A sect of Gnostics, who practised serpent-worship. The head used by them for the celebration of the Eucharist was licked by a serpent kept for the purpose. The sect originated in Egypt, and spread into Syria and Asia Minor. The Cainites originated with this sect. (See CAINITES.)

OPPOSITION, *op-po-siuh'-un*.—According to the political theory of government by party, the members of the two Houses of Legislature, who are opposed to the party holding office, form a compact body, for the purpose of criticising and, if possible, defeating the measures proposed by the ministers of the day. If they succeed in defeating any measure of great importance, the Administration either appeals to the country (that is, to the result of a dissolution of Parliament and a general election) or resigns. In the latter case, the Sovereign generally calls upon the leader of the Opposition—the most prominent politician of the party—to form a Ministry. There is in each House of Parliament, by general agreement of the members of the party, a leader

of the Opposition. The value of an organized Opposition, as a check upon ministers, is considerable; but not unfrequently the public interest suffers greatly from the contest for place between rival statesmen, attacks being made on particular propositions, not because they are specially objectionable, but because an opportunity offers for defeating ministers and succeeding to power.

OPTIMISM, *op-tim-izm* (Lat., *optimus*, the best).—In Philosophy that doctrine which maintains that this world, considered as a whole, is the best that could have been made. This doctrine, in some form or other, is to be found in almost all the great schools of antiquity; more particularly among the Platonists, the Stoics, and the Alexandrians. Anselm and Aquinas were its chief advocates in the Middle Ages; but it was most fully developed by the schools of Descartes and Leibnitz in modern times. It is, of course, opposed to the dismal modern philosophy which regards this as the worst of possible worlds. (See PESSIMISM.)

OPUS OPERANTIS, AND OPUS OPERATUM, *o-pus o-per-an-tis, o-per-a-tum*, (Lat., the work of the maker, and the work wrought).—Phrases used by Roman Catholic theologians to express the mode in which the administration of religious rites affects the partaker. The former phrase applies to such acts as kissing or praying before a crucifix, or using holy water, in which the grace imparted depends upon the fervour and piety of the worshipper; the latter phrase to the administration of sacramental rites, which are in themselves causes of grace, although requiring a certain preparedness of disposition on the part of the recipient, except in the case of the insensibility of a dying person, when the sacrament imparts the grace.

ORACLE, *or-a-kle* (Lat., *oraculum*, from *os*, *oris*, the mouth). Among the ancients a response made by some deity in reply to a question on some matter of importance. The name was also applied to the sacred place where these answers were communicated. The credit of oracles was so great that no business of any importance was undertaken without consulting some oracle, and their answers were generally given in dark and ambiguous phrases, so that they might be interpreted to correspond with whatever happened. The responses were given by the priest or priestess of the god, and they frequently consisted of incoherent words uttered in a state of delirium or divine inspiration. Sometimes they were given by signs, as the movement of leaves or the murmuring of the waters of a fountain. Responses were usually given in Ionic hexameters; but on account of the scandal to which their metrical defects occasionally gave rise, they were subsequently given in prose. Apollo was regarded as the great oracular deity, Jupiter being less frequently consulted. The Greeks had no fewer than twenty-two oracles for the consultation of this deity, the most famous being at Delphi. The most important oracles of Jupiter were at Olympia in Elis, and Dodona in Epirus, at both of which he only sent signs for men to interpret. In Italy there were no oracles, where the priests spoke by inspiration. The Romans had not recourse to oracles so much as the Greeks—they trusted more to augury and the Sibylline books. The principal Roman oracles were those of Faunus, in the Grove of

Albunea, and on the Aventine Hill, where the inquirer received his answer in sleep in prophetic visions; those of Fortuna, where the responses were given by lot; and that of Mars, which, in early times, existed at Tiora Matene, and at which the revelation was given through a woodpecker. By degrees these mysterious deliverances lost their hold upon the public faith. The sceptical few had always secretly ridiculed the offspring of subtle, unscrupulous priests; the politicians looked upon them with a means of advancing their interests, and unfrequently directed the responses. Aristophanes made them objects of raillery; Demosthenes accused the Pythia of favouring Philip; and Cato of Utica disdained to interrogate Jupiter Ammon. The early Christians attributed the predictions of the oracles to the agency of demons; and Eusebius and others affirmed that they became silent at the birth of Christ, the reason assigned being that Christ then put an end to the power of Satan upon the earth.

ORANGEMEN, *or-anj-men*, is the name given by the Roman Catholics in Ireland to their Protestant countrymen, on account of their adherence to the house of Orange. The first Orange lodge constituted for mutual defence and for supporting Church and State, was formed in 1795 in the county of Arnnagh, and another in 1798 in Dublin, the members of which published a declaration of their principles. The Association, at the height of its power, had more than 200,000 members, 20 grand lodges, and nearly 1600 other lodges. Resemblance to the administration of justice, and the encouragement of party animosity appeared to have been the chief objects of the Association. They gave rise to great disturbances, and, after a Parliamentary inquiry, they were broken up at the request of the House of Commons, but were revived in 1845. In 1857 the Lord Chancellor of Ireland ordered that justices of the peace should not belong to Orange clubs.

ORATORY, *or-a-to-re* (Lat., a place of prayer, from *orare*, to pray).—A name given by Christians to certain places of religious worship. In early Christian writers, the term is frequently applied to churches in general; but afterwards it came to be confined to private chapels or places of worship, set up for the convenience of private families.

ORATORY, CONGREGATION OF THE.—A religious body in the Roman Catholic Church, established in conformity with the wishes of St. Philip Neri, and sanctioned by Popes Gregory XIII., in 1577, and by Paul V., in 1612. The Fathers of the Congregation are a body of priests living in community, but without vows, and at liberty to withdraw at any time and resume possession of any property which they had brought with them on becoming members of the Congregation. The houses of the Oratorians were very numerous in Italy, and there were establishments in France and the Netherlands. In 1847, the first establishment was formed in England by Dr. (now Cardinal) Newman, near Birmingham, and there is now another at Brompton, London.

ORDEAL, *or-de-al* (Sax., *ordael*, from *or*, great; and *dele*, judgment).—A manner of trial practised in early times, being founded upon the belief of an actual interposition of God to free the innocent and condemn the guilty. Hence it re

ceived the name of *Judicium Dei* (God's judgment). Perhaps the earliest trace of this practice is to be found in the "waters of jealousy," mentioned in the Book of Numbers (v. 24), which the Hebrew women suspected of incontinency were required to drink as a test of their innocence. It appears to have been practised also by the ancient Greeks; and Grocius gives many instances of water-ordeal in Bithynia, Sardinia, and other places. The ordeals common in Europe in the Middle Ages were of two kinds—viz., fire and water; the former being chiefly confined to persons of high rank; the latter to the common people. Fire-ordeal was performed either by taking up in the hand unhurt a piece of red hot iron, or else by walking barefoot and blindfold over nine red hot ploughshares laid lengthwise at unequal distances. If the party escaped unhurt, he was adjudged innocent; but if not, as without collusion was usually the case, he was condemned as guilty. The water-ordeal was performed either by plunging the bare arm up to the elbow in boiling water and escaping unhurt thereby, or by casting the person suspected into a river or pond of cold water, and if he floated without swimming it was evidence of his guilt, but if he sank he was acquitted. The judicial combat or duel was a very common mode of appealing to heaven. (See BATTLE, TRIAL BY.) The *corned*, or consecrated bread and cheese (*pains ordeaux*), was the ordeal to which the clergy commonly appealed when accused of any crimes. If the culprit swallowed the bread and cheese freely, he was declared innocent; but if it stuck in his throat, he was pronounced guilty. A decree of the Fourth Lateran Council (1215) was issued, declaring against trial by ordeal, as being the work of the devil; and it was condemned by an order of council in the third year of Henry III.

ORDER, *or'-der*.—In ecclesiastical affairs the term was originally applied to the laws or rules of a monastic institution, but was afterwards applied, in a secondary sense, to the several monastics living under the same rule or order. (See MONACHISM.) Besides the monastic, there are usually reckoned among the religious orders in the Romish Church, the military and the mendicant orders.

ORDERS IN COUNCIL.—In periods of emergency, or when Parliament is not sitting, the Sovereign, by the advice of the Privy Council (that is, of the Cabinet), issues orders sanctioning certain acts deemed to be of immediate necessity. Ordinarily, the Parliament, on its assembling, passes an Act of Indemnity, relieving ministers from the responsibility they had incurred. On some matters connected with trade and the revenue, Parliament has delegated its authority to the Queen in Council, and no indemnity is required.

ORDERS, HOLY.—A character peculiar to ecclesiastics, whereby they are set apart for the ministry. This the Roman Catholics make their sixth sacrament. It is evident that in the apostolic and early church there were only three orders of ministers—bishops, priests, and deacons. Besides these there are, in the Roman Catholic Church, four minor or petty orders—viz., doorkeepers, exorcists, readers, and acolytes. Those in petty orders may marry without dispensation; but, in effect, they are looked upon as little more than formalities, or degrees necessary to arrive at the higher orders, and are usually all con-

ferred on the same day. For regulations respecting admission to holy orders in the Church of England, see ENGLAND, CHURCH OF.

Ordinal, *or'-di-nal*, is the book which contains the forms of ordination for the various orders in the Church of England.

ORDINARY, *or'-de-na-ry* (Lat., *ordinarius*).

—In common or canon law, one who has ordinary or immediate jurisdiction in matters ecclesiastical in any place. In this sense, archdeacons are ordinaries; but the term is most frequently applied to the bishop of a diocese, who, of course, has the ordinary ecclesiastical jurisdiction, and the collation to benefices within such diocese. An archbishop is the ordinary of the whole province.

ORDINATION, *or'-din-a'-shun* (Lat., *ordinatio*).—The conferring of holy orders, or the act of initiating a person into the priesthood by prayer and the laying on of hands. By the Roman Catholics, ordination is regarded as a sacrament, a doctrine which is repudiated by the English Church. (See ROMAN CATHOLIC CHURCH and ENGLAND, CHURCH OF.) In the Presbyterian and Congregational Churches, ordination means the act of settling or establishing a licensed preacher over a congregation, with pastoral charge and authority.

ORDNANCE, BOARD OF.—A department of the Army, which existed for about 400 years, and the head of which was a military officer of high distinction. All matters connected with artillery were under its supervision. It was abolished by an order in Council in May, 1855. The last Master was Lord Fitzroy Somerset, afterwards Lord Raglan, commander of the British forces in the American war.

ORIGENISTS, *or'-i-jen-ists*.—A Christian sect in the early church, that pretended to draw their opinions from the works of the celebrated Origen. They were founded by one Rufinus, a priest of Alexandria, who had carefully studied the writings of Origen, and been led to adopt many of his Platonic notions on sacred subjects. Among the errors ascribed to the Origenists are, that the souls of men were pre-existent; that our Saviour's soul was united to the Word before his conception; that after the resurrection the bodies of men will have a spherical form, and not, as at present, be erect; that the punishment of devils and of the damned will continue only for a time; and that in future ages Christ will be crucified for the salvation of devils as he has already been for that of men. This heresy spread for a time widely in Egypt, Spain, and other countries.

ORIGINAL SIN, *o-rij'-i-nal* (Lat., *originalis*).—According to the Ninth Article of the English Church, original sin "standeth not in the following of Adam (as the Pelagians do, vainly talk), but it is the fault and corruption of the nature of every man that naturally is engendered of the offspring of Adam; whereby man is very far gone from original righteousness, and is of his own nature inclined to evil, so that the flesh lusteth always contrary to the spirit; and, therefore, in every person born into this world, it deserveth God's wrath and damnation." By the following of Adam is here meant the imitation of Adam; as the Pelagians and others taught that original sin was not an inherent vice in the race of Adam, but only the propensity of

mankind to imitate his transgression. The general view of the Scriptures, however, is that they plainly teach that the sin of Adam not only made him liable to death, and changed the upright nature in which he was originally formed into one that was prone to wickedness, but that this liability to death and propensity to sin were entailed from him upon the whole race of mankind. Some theologians hold that original sin is nothing more than that natural tendency to evil which philosophy, no less than religion, teaches to be inherent in the human mind. Many of the strictest sects of Christians, however, hold with St. Augustine, who was the first to give forth the doctrine—namely, that God made a covenant with Adam, not only by himself, but as representing all his posterity, in terms of which the fruits of his obedience were to be imputed to them, as well as the fruits of his disobedience. Adam, therefore, having fallen as the federal head of the human race, they are all made partakers of the guilt of his transgression. This is what is termed the doctrine of “imputed guilt;” and it involves the condemnation of children who may have been guilty of no actual transgression, which the other does not necessarily do. The views held by some divines, who are generally described as belonging to the “new school,” and who include in their ranks a majority of the Congregationalists and a large number of Episcopalians and Methodists, is thus stated by a recent able writer: “Adam in fact fell, and in falling became a sinner. The universal law of nature is, that like begets like; so all his descendants have inherited from him a nature like his own, a nature depraved and prone to sin.” Those who maintain this theory add, usually, that man is not responsible for this depraved nature, and that he is not in any strict sense guilty before God for it; that while infants must be redeemed from it through the power of God in Christ Jesus, because nothing impure can enter heaven, still they cannot be said to be guilty until they have arrived at an age when they are capable of choosing between good and evil, and that they are then responsible for the voluntary choice, and for that alone. In other words, this school distinguishes between sin and depravity, holding all sin to consist in voluntary action, and depravity to be simply that disordered state of the soul which renders it prone to commit sin.

ORPHAN ASYLUMS, *or'-fan* (Gr., *orphanos*).—Institutions provided for the bringing up and education of orphans, or children who have been deprived of their parents. The Roman Emperor Trajan, about 105 A.D., formed establishments in which about 5,000 orphan free-born children were maintained and educated. Under the Byzantine rulers, the care of orphans was considered an important duty. The earliest of modern institutions of the kind was the Orphan-tropheus, established in 1699, at Halle, in Germany, by August Francke. In this country there are many establishments of this kind, especially the Orphan Working Asylum (1756), the Asylum for Female Orphans (1758), the London Orphan Asylum (1813), the British Orphan Asylum (1863), the Infant Orphan Asylum (1827), the Orphan-Houses at Bristol (1836), Royal Albert Orphan Asylum (1864), Alexandra Orphanage for Infants (1864), and Stockwell Orphanage (1867). There are also several institutions for the support of the orphan children of soldiers, sailors, and members of various professions and trades.

ORTHODOX, *or'-tho-doks* (Gr., *orthos*, right, and *doxa*, an opinion).—In religious matters, is applied to those who are judged to have right views on religious subjects. To the Roman Catholic, he only is orthodox who believes what the Church enjoins; and all others are heterodox. Everybody has his own test of orthodoxy or infallible right—that is, what he believes himself. A humorous divine tersely said to an opponent, “Orthodoxy is my doxy, heterodoxy is your doxy.”

OSIRIS, MYTH OF, *o-si'-ris*.—The earliest religious notions of the Egyptians, so far as the information afforded by hieroglyphical and monumental records enable us to form an opinion, was connected with the worship of the sun, with which at a late period a crowd of principal and subordinate deities were connected by personification. The rising sun came to be known as Har, or Harmachus; the mid-day sun as Ra; and the setting sun as Tum. There seems, however, to have been in these personifications a perception of an invisible and self-producing deity, from whom the human soul emanated, and to whom the names (among others) Amer and Kheper were given. Dr. Birch, the eminent Egyptologist of the British Museum, says, “The idea of a single, self-existent deity is stated in the hymns and prayers addressed to certain gods, who are said to have animated or produced all beings, or to have been the universal and animating principle of nature.” In course of time the priestly communities who, whatever knowledge they might have themselves possessed—and, possibly, it was considerable—kept it from the outer and unlearned world under the veil of an elaborate mythology, adopted different systems at Thebes and Memphis, the two great seats of learning; and we have records of eight principal gods. A mysterious and powerful being, Ptah, in some respects equivalent to the Demiurges of the later Gnostics, was supposed to have produced the sun and moon and the celestial bodies; Khnum, mankind, and Tum, or the setting sun, other existences. Various, and not to us very intelligible, forms of sun and star worship succeeded, and then seems to have come a clearer recognition of a universal god in Osiris, who had a brother and rival, Set, or Typhon, the evil principle of Egyptian mythology. This Set is at length subdued by Horus, son of Osiris and Isis, the immediate predecessor of the demigods. In later systems, Osiris appears as the judge of the souls of the dead, the Egyptian Pluto, assisted by forty-two subordinate judges. Osiris and Isis and their son Horus are the most conspicuous and revealed of all the deities of the various Egyptian mythologies. They form a sacred triad, the most famous of various triads or trinities worshipped at various times and places:—at Memphis, Ptah, his wife Merenputah, and his son Nilper-Atum; at Heliopolis, Tum (or Harmachus), Nebhetp, and Horus; at Elephantine, Khnum, or Chnoumis, the goddess Anuka, or Anoukis, and their son Hak. Osiris is mentioned in the hieroglyphic texts as early as the time of the fourth dynasty, more than 2,000 years before the Christian era, when Egypt had attained a remarkable degree of civilization, and two or three hundred years later Osiris appears to have been universally honoured. The myth of Osiris is one of the most striking of the religious legends of the Old World. He is said to have been invested with regal power, to have taught agriculture and other useful arts, and to have travelled over the earth

as a sort of missionary of civilization, leaving the care of his kingdom, during his absence, to his queen Isis. Set, the spirit of evil, induced a conspiracy against Osiris, whom he invited to a banquet, at which a richly ornamented chest of great value was produced, and Set promised that it should be given to that person whom it might be found to fit best when lying in it. Osiris was induced to enter the chest, and was immediately covered over and the lid was fastened down, and the chest thrown into the Nile. The river bore it to Byblos, where it lodged in a tamarisk tree, which was cut down by the king and converted into a pillar to support the roof of the palace. It was recovered by Isis, who took out the chest and, hiding it in a solitary spot, departed for the purpose of visiting her son Horus. Set, finding where the body was deposited, divided it into fourteen pieces, and distributed them into as many different districts. Isis recovered very nearly the whole of the body; and afterwards Horus subdued Set, after a battle lasting three days. Plutarch explained this legend as symbolizing the course and inundations of the Nile.

OSTRACISM, *os'-tra-sizm* (Gr., *ostrakon*, a shell).—A judgment of the Athenian people, by which they were in the habit of condemning to ten years' exile citizens whose wealth and power seemed to them to have reached an extent dangerous to the common liberty. A space in the Forum was enclosed, having as many doors (ten) as there were tribes in the republic; and the citizens of each tribe entered by their own door, and threw into the midst of the open space a shell, or piece of baked clay in the form of one, on which was written the name of the citizen whom it was proposed to banish. If as many as six thousand were in favour of the banishment of the accused, he had to leave the city within the space of ten days. No disgrace, however, was considered to attach to banishment by ostracism, which was never inflicted as a punishment for crime, and property and civil rights remained unaffected. The practice was abolished through the influence of Alcibiades.

OUTLAWRY, *out'-law-ry* (Lat., *utlagaria*).—In Law, is the being excluded from the benefits and protection of the law. It was a punishment inflicted for a contempt in neglecting or refusing to appear and answer for a civil or criminal transgression, in obedience to the order of a competent court; and as this was a crime of the highest nature, being an act of rebellion against the State, so it subjected the party guilty of it to forfeitures and disabilities. By the laws of the Anglo-Saxons, an outlaw, or a *lawlessman*, lost his *liberam legem*, and had no protection from the frankpledge in the decennary in which he was sworn. He was also a *friendlessman*, because

he forfeited his friends; for if any of them rendered him any assistance, they became liable to the same punishment. An outlaw was said to have a wolf's head (*gerere caput lupinum*), from the fact that he might be killed by any one with the same impunity as a wolf. The law now is, that no one is entitled to kill an outlaw wantonly or willfully; to do so being to commit murder, unless it be in the endeavour to apprehend him. Where outlawry takes place upon a prosecution for treason or felony, it is regarded as a sufficient evidence of the guilt of the party, and is followed by corruption of blood and forfeiture of his estate, real and personal. When it takes place upon criminal prosecutions for misdemeanours or upon civil actions, the profits only of the defendant's lands are forfeited during his outlawry. An outlaw cannot sue in any court, nor has he any legal rights which can be enforced, but he is personally liable upon all causes of action. An outlawry may be reversed by proceedings in error, or by application to a court. Outlawing in civil proceedings was abolished by 42 and 43 Vict. c. 59.

OVERSEERS, *ov'-er-seers*.—Parochial officers appointed annually in England and Wales, for the purpose of providing and dispensing means for the relief of the poor. In every parish there must be two, and in some parishes there may be four, of these officials. In parishes forming parts of Poor Law Union (and nearly all parishes are now so included), the direct relief of the poor is administered by the guardians. One of the duties devolving on overseers is making out lists of persons entitled to vote for members of Parliament; and other duties, as the appointment of vaccination officers, reporting cases of lunacy, enforcing payments of the school board rates, and assisting in the carrying out the provisions of the Nuisances Removal Act. Overseers are unpaid, but in large parishes are assisted by paid officials, named assistant-overseers.

OWENISM. (See SOCIALISM.)

OXFORD ADMINISTRATION.—In May, 1711, Robert Harley, Earl of Oxford, was appointed Lord Treasurer, and retained office till July, 1714, when he was succeeded by the Duke of Shrewsbury.

OYER AND TERMINER, *o'-yer, ter'-min-er* (Fr., *ouir et terminer*).—A commission directed by the Crown to the judges and others, by virtue whereof they have power to hear, and determine treasons and all manner of felonies and trespasses.

OYEZ, *o-yez'* (Fr., hear ye).—The term used by a public critic to enjoin silence previous to making any proclamation or announcement. It is thrice repeated, and is usually corrupted into O yes! O yes! O yes!

P.

PACIFICATION, EDICTS OF, *pa-sif-i-kai'-shun*.—Certain edicts issued by Charles IX. and Henry IV. of France, promising toleration to the Reformed Churches in that country.

PADISHA, *pad'-e-sha'* (from *padi*, protector, or throne, and *shah*, prince), a title which belongs to the Sublime Porte, and also to the Shah of Persia. The Sultan of Turkey formerly bestowed this dignity on the kings of France only,

amongst the nations of Europe; but the honour is now likewise shared by the emperors of Austria and Russia as well.

PÆDO-BAPTISM. (See BAPTISM.)

PAGANISM, *pag'-gan-izm* (Fr., *paganisme*).—The religious worship and discipline of pagans, or the adoration of idols and false gods. The name was given to the heathens by the Chris-

tians, when Constantine and his successors forbade the worship of the heathen deities in the cities. At that time they retired to the villages (*pagi*), where they could practise their ceremonies secretly and safely. The theology of the pagans may be described as of three kinds. The first may be called the *mythological*, or fabulous, as it treats of the theology and genealogy of their deities, in which they describe such things as are unworthy of deity. The second sort of paganism, called *physical* or *natural*, was studied and taught by the philosophers, who, rejecting the multiplicity of gods introduced by the poets, brought their theology to a more natural and rational form, and supposed that there was only one supreme god, which they commonly make to be the sun, or at least an emblem of him, but at too great a distance to mind the world's affairs. In consequence of this, they devised certain demons, whom they looked upon as mediators between the supreme god and man. The philosophers who believed in this sort of theology, treated of the nature of these demons and their relations with regard to man. Amongst their writers on the subject were Thales, Pythagoras, Plato, and the Stoics. The third sort of paganism, called *political* or *civil*, was instituted by legislators, statesmen, and politicians. The first among the Romans was Numa Pompilius. Political paganism chiefly respected the gods, temples, altars, sacrifices, and rites of worship, or, strictly, their idolatry, the care of which belonged to the priests; and this was enjoined the common people to keep them in obedience to the civil powers. The rites of paganism were as various as the objects of their worship. Sacrifices were deemed essential, and in many cases, and in all emergencies, they were apprehensive that the sacrifice must be, at least, of equal dignity with the sinner. Hence, among many nations, both ancient and modern, from the worshippers of Moloch to the South-Sea Islanders, the practice of human sacrifices, which have stained the altars of almost every nation upon earth. In some religions of paganism, for example in those followed by Zoroaster, Plato, and Socrates, there are to be found pure and elevated notions and precepts of morality.

PAINS AND PENALTIES. (See BILL OF.)

PALATINE, *pal'-a-tine*.—The title given in the time of Charlemagne to the feudal lord ruling with judicial power over a province. Under the earlier Merovingian Kings of France, a high judicial officer, having authority as representing the monarch in deciding causes, had the title of Count Palatine, or "Count of the Palace." The province or county governed by the Palatines was known as a "palatinate," or "county palatine." In England there are three counties so styled—Lancaster, Chester, and Durham. (See COUNTRIES.) Previous to the reign of Henry VIII., Pembroke was a county palatine. A considerable district of Germany, part of which is included in the kingdom of Bavaria, was for a long period governed by a Count Palatine, who was an elector of the empire.

PALL.—A name given to that part of Ireland occupied by descendants of the English settlers. The word was taken from one of the enactments of the Parliament summoned at Drogheda, in 1494, by Sir Edward Payning, the English governor,

which required all the colonists to "pale in," or enclose, the portion of the country possessed by the English. At that time the English possessions included in the pale (which at one time had comprised the shires of Dublin, Kildare, Meath, and Louth) had been greatly diminished, and formed a narrow strip about 50 miles long and 20 broad, and that was the only part in any sense English for beyond it the common law of England had no authority, the king's writ was not respected, and the country was divided among independent chiefs, who levied tribute on the inhabitants of the pale as payment for a nominal protection of their rights, and as a compensation for abstaining from the plunder of their farms.

PALINGENESIA, *pal-in-je-ne'-se-a* (Gr., born again).—The Greek word is used in St. Paul's Epistle to Titus (iii. 5), and is translated in our authorized version, "regeneration." The Stoics denoted by it the act of the Demiurgos, or Creator, by which, having taken all being unto himself, he reproduced it in a new creation. Different Christian writers on theology have understood it to mean the resurrection, or the new birth of the individual, or the restoration of the world to its primitive condition of righteousness and purity.

PALINODE, *pal'-in-ode* (Gr., a second song).—A recantation of a previous statement. In the law of Scotland, the pursuer (plaintiff) in an action in some of the courts for slander or defamation may sue for a "palinode," or recantation, as well as for damages. The Court of Session does not admit this claim.

PALL, *pawl* (Lat., *pallium*).—In the Roman Catholic Church, the name given to a covering for the sacramental chalice. It is a square piece of linen, having sometimes an upper surface of embroidered silk or cloth of gold. In funeral ceremonies, the pall is a covering generally of black velvet, with a white border, placed over the coffin while being carried to the place of burial. The Pall-bearers are generally relatives or near friends of the deceased, who accompany the coffin to the grave, and hold the ends of the pall.

PALLIUM, *pal'-le-um* (Lat., a cloak).—A vestment which, according to ancient custom, was sent from Rome to all the archbishops of the Roman Catholic Church, and also to the Latin patriarchs of the East, when they assumed their canonical office. This species of pallium was manufactured from the wool of the white lambs which had been blessed at Rome on the festival of St. Agnes, and deposited on the tomb of St. Peter during the eve of his festival. At the present time it is a short white cloak with black crosses, which encircle the neck and shoulders, and falls down the back. An archbishop cannot wear it until it has been asked for and granted by the Pope; and until it has been conferred, no act of archiepiscopal authority can be performed. On the death of the archbishop, his pallium is interred with him. It is supposed to symbolize the sheep borne on the shoulders of the Good Shepherd, and some writers connect it with the vesture of the Jewish high priest.

PALM SUNDAY.—The last Sunday in Lent, or the Sunday before Easter Sunday. The name arose from the practice of blessing branches of the palm-tree (or other trees, especially the willow or yew, in countries where palms could not be procured), in commemoration of the

triumphal entry of the Saviour into Jerusalem. The practice originated in the early days of the Church, and there were special services in the English Church, until abolished in the reign of Edward VI. The carrying of the Pope in procession at Rome is one of the most attractive of the ceremonies of the "holy week."

PALMERSTON ADMINISTRATION.—Viscount Palmerston became First Lord of the Treasury in February, 1855, on the resignation of the Aberdeen Administration, and held office until February 20th, 1858, when the Ministry resigned in consequence of a vote of censure for the introduction of the Foreign Conspiracy Bill. Lord Palmerston was again the head of the Ministry in June, 1859, and retained office until his death in October, 1865.

PAN-ANGELICAN SYNOD.—The name given to a conference of 75 bishops, British, Colonial, and American, which met at Lambeth Palace in September, 1867.

PANDECTS. (See JUSTINIAN'S CODE.)

PANEL, pan'-el.—In England, a jury is known as the panel from the slip of parchment on which the names of the jurors are written, but in Scotland the prisoner is known as the panel.

PANGÉ LINGUA, pan'gai ling'-wa (Lat., "Proclaim, O tongue").—A hymn of the Roman Catholic Church, written by Thomas Aquinas, sung in honour of the Eucharist, and forming part of the service of the Festival of Corpus Christi.

PANTHEISM, pan'-the-ism (Gr., *pan*, all, and *theos*, God).—A system of philosophical speculation or religious belief, which affirms that all existence, material and spiritual, is only modifications of one eternal self-existent substance, which it calls God. The word pantheism was first used in its present signification by Toland in 1705, and a society was formed who took the name of Pantheists, because they professed worship of all nature as their deity. Pantheism, however, had existed from the earliest times. It is to be found in the most ancient records of the race, apart from Scripture. The Vedic writings of the Hindus are pervaded with pantheism, their innumerable host of gods being regarded as emanations of the primeval and unchangeable; while in the opposing system of Buddhism, the final object of aspiration is the absorption of man in the great eternal substance. Passing from India to Greece, we find pantheism to prevail in various of the philosophic systems there. Anaximander of Miletus (B.C. 611-547) is regarded as the father of the pantheistic tendencies of Greek speculation, and with him began the disposition to develop the universe from one grand indeterminate abstraction. He was followed by the Pythagoreans and Eleatics. (See GREEK PHILOSOPHY.) Many of the Neo-Platonists adopted a system of pantheism; and it also found a place among the Gnostics. In the 7th century, John Scotus Erigena, a man of great learning and original genius, advocated pantheism, and maintained that "all which is truly said to be is God alone," "that everything is God," and "God is everything." In the 15th century pantheism reappears in the speculations of Amabrio de Bena and David de Dinanto. Giordano Bruno, who was burned as a heretic at Rome in 1600, may be

regarded as the precursor of Benedict Spinoza in the history of modern pantheism. The latter, however, is the one with whose name pantheism is most commonly associated, and whose system is the most able and philosophic that has ever appeared. It is elaborated in his great work, the "Ethics," in which he has attempted to deduce, mathematically, from the knowledge of God, the fundamental laws of morality and the principles that should regulate human life. In true geometric fashion, he begins by laying down a series of definitions and axioms, from which he proceeds to evolve, demonstratively, in a set of theorems, each depending on what has gone before, his entire scheme of God and the world. According to him, there can only be one existing substance, which has two modes or properties,—thought and extension; and that of one or both of these all things consist; so that they are modifications of the one infinite substance, which is Deity. All things are modes of extension, all thoughts are modes of thought. This Deity is not a conscious or intelligent individual; but whatever of mental faculties it possesses, can only be the aggregate of the mental powers and actions of the innumerable beings that possess intelligence. Death is but a returning into the infinite whole, and, consequently, there is no future state. In American poetry and philosophic literature there is a great infusion of pantheistic sentiment, without the formulation of a definite system. The tendency is very apparent in the writings of Emerson and other transcendentalists. (See TRANSCENDENTALISM.) The modern systems of Fichte, Hegel, and Schelling, are pantheistic. (See GERMAN PHILOSOPHY.) Some attempts have been made to maintain that the germs of pantheism are to be found in the Bible, as in such declaration as that in (1 Cor., xv. 28), "that God may be all in all;" but this is obviously a perversion of the true meaning of the phrase, and it is evident that belief in an omnipotent God regnant in nature, and belief in an impersonal God identical with nature, are widely different.

PAPA, pa'-pa.—A title (meaning father) given in the early days of the Church to all bishops, but now limited to the pope, or bishop of Rome. In the Greek Church, Papa is the appellation of all the clergy.

PAPACY. (See ROMAN CATHOLICISM.)

PAPAL INFALLIBILITY.—A dogma adopted and promulgated by a general council of the Roman Catholic Church, in June 1870, but not without a strong expression of dissent from many of the bishops, who withdrew from the council. (See INFALLIBILITY.)

PAPIST, pa'-pist (Ital., *papista*, an adherent of the pope).—A term which has long been used in England to denote a member of the Roman Catholic Church.

PARABLE, pa'-al (from the Greek *paraballo*, I compare).—An allegorical representation of something real or apparent in life, from which a moral is drawn for instruction. In Rhetoric, strictly, the word simply means a comparison; but it has gained, by custom, a particular meaning. In the Old Testament the word sometimes signifies a speech or argument, as in the instances of Balaam and Job (Num. xxiii. 7; Job, xxvii. 1). In the parables of the Old and New Testaments, we find a moral or religious truth conveyed by the recital of short tales, in

which we find the objects of hidden sense represented distinctly by parallel types in the external narrative, so as not to be mistaken. The parable differs from the allegory chiefly in form, and the difference is thus described by a recent writer: "In the allegory, the symbol and the thing symbolized are both kept constantly and continuously before the mind; while in the parable, the symbol is used alone, and the interpretation follows, or is left to be deduced by the reader. The allegory needs not, as the parable, an interpretation to be brought to it from without, since it contains its interpretation within itself—as it proceeds, the interpretation proceeds, hand in hand with it, or, at least, never falls behind it. Thus John xv. 1-8, where Christ compares himself to the vine, is allegorical in character; while John x. 1-16, where he compares himself to a good shepherd, is parabolic." Another writer says of the parable: "It differs from the proverb in being a narrative, from the fable in being true to nature, from the myth in being undeceptive, from the allegory in that it veils the spiritual truth." Parables are used in the Old Testament as well as the New, and the following are the most important in both Books:—

Old Testament Parables.—The trees, Judges ix. 8; the ewe lamb, 2 Sam. xli. 1; the two sons, 2 Sam. xiv. 5; the prisoner who made his escape, 1 Kings, ix. 30; the thistle and the cedar, 2 Kings xiv. 9; vine from Egypt, Psa. lxxx. 8; wisdom personified, Prov. viii. 9; the vineyard, Isa. v. 1; the husbandman, Isa. xlviii. 23; bottles filled with wine, Jer. xli. 12; a vine branch, Ezek. xv. 2; two eagles and a vine, Ezek. xvii. 1; lion's whelps, Ezek. xiv. 1; a wasted vine, Ezek. xix. 10; Aholab and Aholibah, Ezek. xliii. 1; holy flesh, Hag. ii. 11.

New Testament Parables.—The sower, Matt. xiii. 3, Mark iv. 3, Luke viii. 5; the tares, Matt. xlii. 24; the mustard-seed, Matt. xiii. 31, Mark iv. 30, Luke xlii. 18, 19; the leaven, Matt. xlii. 33, Luke xlii. 20, 21; the hidden treasure, Matt. xli. 44; the pearl of great price, Matt. xli. 45; the barren fig-tree, Luke xlii. 6; the prodigal son, Luke xv. 11; the good Samaritan, Luke x. 30; the friend at midnight, Luke xi. 5; the rich fool, Luke xli. 16; Dives and Lazarus, Luke xvi. 19; the unjust steward, Luke xvi. 1; the lost sheep, Matt. xviii. 12; Luke xv. 4; the lost piece of money, Luke xv. 8; the master and the servants, Luke xvii. 7; the unfortunate widow, Luke xviii. 1; the Pharisee and the publican, Luke xviii. 10; the nobleman who wanted to receive a kingdom, Luke xix. 11; the creditor who lost two debtors, Luke vii. 4; the vine and the branches, John. xvi. 1; the seed growing without observation, Mark iv. 26; the net cast into the sea, Matt. xlii. 47; the unmerciful servant, Matt. xviii. 23; the labourers in the vineyard, Matt. xx. 1; the two sons sent to the vineyard, Matt. xxi. 28; the wicked husbandman, Matt. xxi. 33, Mark xli. 1; Luke xx. 9; the invitation to the feast, Matt. xxii. 1; the wedding garment, Matt. xxii. 11; the ten virgins, Matt. xxv. 1; the talents, Matt. xxv. 14; the door and the good shepherd, John x. 1.

PARABOLANI, *pa-rab-o-la'-ne* (Gr., a desperate person).—A name given to a minor class of functionaries in the early Church, who assisted the regular clergy in visiting and nursing the sick, especially in times of pestilence. The name was originally applied to reckless men, who hired themselves to fight with wild beasts in the amphitheatres. It was probably given at first, in derision, to the Christians who devoted themselves, regardless of risk, to works of charity. A large number of these functionaries were attached to the Church at Alexandria, and assisted the ministers of other churches. A somewhat similar name, *parabolarius*, was given to the Christian martyrs, who sacrificed their lives rather than deny the truths of the Gospel.

PARADISE, *par-a-dise* (Gr., *paradeisos*, a beautiful garden).—A word generally applied to the garden of Eden, in which our first parents dwelt. The name is of Oriental origin, and, according to Xenophon, denotes the parks and pleasure-grounds of the Persian monarchs. The term is also applied by Christian writers (on the authority of Christ, who said to the penitent thief on the cross, "To-day shalt thou be with me in Paradise," and of a phrase in the book of Revelation, ii. 7, "The Paradise of God") to the future state of eternal bliss, and is synonymous with heaven. In Jewish theology, it signifies that part of Hades, or the abode of the dead, where the souls of the righteous await resurrection.

PARAPHERNALIA, *par-a-fer-na'-le-a* (Gr., *para*, beyond; *pherné*, dowry).—A term of the Roman law adopted by modern jurists to denote certain articles of apparel and adornment belonging to a married woman. Dress and ornaments, the property of a woman at the time of marriage, and suitable to her rank in life, do not become absolutely the property of her husband; but if he gave them to her, although he cannot devise them by will to another person, he may sell, pawn them, or give them away, and they can be taken in execution for his debts. If given by another person, before or after marriage, the husband or his creditors cannot interfere with them. In Scotland, the wife's property or her paraphernalia is absolute, and the term includes articles of furniture belonging to her before marriage. In non-legal language, the word is commonly applied to ornamental decorations, trappings, banners, &c.

PARDON, *par'-don* (Fr., *parlonner*).—In Law, defined to be "an act of grace, which, proceeding from the power intrusted with the execution of the laws, exempts the individual on whom it is bestowed from the punishment which the law inflicts for a crime which he has committed." As used in the canon law, it extends beyond the affairs of this world, being an indulgence granted by the Pope to supposed penitents for remission of the pains of purgatory, which they have merited for the punishment of their sins. Pardon is not an act of justice, but of grace. It necessarily implies guilt, and forgiveness must of course come from the one who is injured, and that in all States is the sovereign. The effect of a pardon is to make the offender a new man (*novus homo*), to acquit him of all corporal penalties and forfeitures annexed to the offence, and not so much to restore his former as to give him new credit and capacity. The statute 27 Henry VIII. c. 24, vested in the king the sole power to pardon or remit any treasons or felonies whatsoever. The crown can pardon in all cases which concern itself, or which it prosecutes for the public, except the offence of committing a man to prison out of the realm, which, by the Habeas Corpus Act (31 Car. II. c. 2), is made a prerogative "incapable of any pardon from the crown." Nor can the crown pardon where private justice is principally concerned in the prosecution of offenders. A pardon may be made conditional.

PARENT AND CHILD, *pair'-ent*.—Based on nature, the law recognizes certain rights and duties as subsisting between parents and children. The first great duty of parents towards their children is to provide for their maintenance; and the statute law has made it com-

pulsory on all parents, whose circumstances enable them to do so, to provide a maintenance for their children, of whatever age, when in poverty, and unable, through infancy, disease, or accident, to support themselves. But only in such cases is the obligation binding, and then only as regards necessities; for no parent is obliged to maintain idle and lazy children in ease and indolence. The poor law compels the father and mother, grandfather and grandmother, of poor persons not able to work, to maintain them at their own charges, if of sufficient ability; and if a parent runs away and leaves his children, the churchwardens and overseers of the parish shall, upon obtaining an order of the magistrates for the purpose, seize his rents, goods, and chattels, and dispose of them towards their relief. The next duty of parents towards their children is protection, a duty rather permitted than enjoined by law. A parent may maintain and uphold his children in their lawful suits without being guilty of the legal crime of maintaining quarrels. The last duty of parents to their children is that of giving them an education suitable to their station in life, which is rather a moral than a legal duty. A father may correct his infant child in a reasonable manner, for this is for the benefit of his education; and his consent to the marriage of his child, if under age, is also required. By 36 and 37 Vict. c. 12, the mother is entitled to the custody of the child while under 16 years of age; that is, she can apply to the Chancery Division of the High Court of Justice for leave to keep the children while under that age, provided she is unobjectionable in point of character, and access may be allowed to the father. If the parents separate by agreement, the interests of the child are considered in the decision the court may arrive at. In case of divorce or judicial separation, the Court exercises its discretion as to the custody of the children. In some respects, the laws of Scotland relating to this subject differs from that of England. After the father's death, she is entitled to the custody of the infant until twenty-one. The father may delegate part of his parental authority during his life to the tutor or schoolmaster of his child, who is then *in loco parentis*, and has such a power of the parent committed to his charge—viz., that of restraint and correction—as may be necessary to answer the purposes for which he is employed. Those who have sustained and educated their offspring, are entitled in return to be supported by that offspring, in case they stand in need of assistance. The misbehaviour of the parent does not relieve a son of his duty; for he is equally bound to maintain and provide for a wicked progenitor as for one who has shown the greatest tenderness and parental duty, and is equally justifiable in defending the person or maintaining the cause or suit of a bad parent as of a good one. (For the law respecting illegitimate children, see BASTARD.)

PARISH, *pa'-rish* (Lat., *parochia*).—A subdivision of the county into districts for the purpose of local self-government. Every parish has, or had originally, a church within its limits; but in some cases, especially in the City of London, small parishes, occupied by public buildings or warehouses, have been united for ecclesiastical purposes, and the churches have been pulled down. The division into parishes was begun by Honorius, archbishop of Canterbury, in 636, but

does not appear to have been completed till the 9th or 10th century, and the first legislation on the subject occurs about 970, in the laws passed in the reign of Edgar. Generally the limits of parishes were nearly coterminous with the limits of manors or other feudal divisions of territory; and the custom of lay patronage probably originated in that fact. (See *BENEFICE* and *CLERGY*.) Civil parishes, or the sub-division of the ancient hundred, for the purpose of collecting the public taxes, were, there seems good reason to believe, instituted in 1179, a few years after the Norman conquest. In the 15th century parishes were enlarged, and the number consequently reduced. In 1844 and 1856, acts were passed by which new parishes may be formed out of an extensive one, and the acts were amended in 1869. These district parishes, although ecclesiastically independent, remain, for secular purposes, portions of the original, or "mother" parish. At present England is divided into about 12,500 parishes, besides about 200 extra-parochial places, such as forest and abbey lands. Previous to 1857, the inhabitants of these districts were not subject to the ordinary parochial rates and taxes; but in that year an act was passed which gave power to justices, and in some cases to the Poor Law Board, to annex such places to adjoining parishes. In every parish the spiritual requirements of the inhabitants are provided for by the existence of a parish church, with a rector or vicar, and churchwarden. (See *CHURCHWARDENS*.) The most important business connected with what may be termed the secular, or legal parish, as distinct from the ecclesiastical, is provision for the poor by means of rates imposed by the vestry (see *VESTRY*), and collected by parish officials, the maintenance of highways, and other matters connected with the administration of parochial affairs. Parish property, except that appertaining to the parish church, which is vested in the churchwardens, is under the control of the overseers (see *OVERSEERS*), who, however, cannot sell it except with the consent of the Poor Law Board. For the purpose of administering the Poor Law, parishes are now generally grouped into unions, the management of which is entrusted to elected and unpaid officials, known as Guardians of the Poor. (See *GUARDIANS* and *POOR LAW*.) The division of Scotland into parishes has existed from very remote times. As in England, the parish is civil as well as ecclesiastical, and provision is made for the union of parishes for Poor Law purposes. There are no churchwardens, the heritors (see *HERITORS*) being responsible for the maintenance of the fabric of the church. Vestries also are unknown, and many of the duties performed in England by parochial officers are in Scotland discharged by the sheriff-clerk, or an official of the county. Every parish has a parish school; and a statute passed by the Scottish Parliament in 1696, made it compulsory on the heritors to provide a school-house and to fix a salary for the teacher. The English charity-schools (see *CHARITY-SCHOOLS*) are not parochial schools established by law.

Parish Clerk.—An officer appointed by the ministers of the parish to assist in the service of the church. Formerly, and now in many parishes, he leads the responses and the singing, but in most of the newer churches he takes no conspicuous part in the service, having been superseded by the musically trained choir. In some parishes a peculiar custom exists, by which the clerk is elected and not nominated by the clergyman. The office is for life, except in case of gross misconduct, and in some instances is a freehold, which

the clerk is entitled to enjoy, performing his duties by deputy if himself incapacitated. Among his other duties is the reception of notices of baptisms, marriages, churchings, and funerals, for the information of the officiating clergyman. By 7 and 8 Vict. c. 59, a person in holy orders may be elected a parish clerk.

PARLIAMENT, *parl'-a-ment* (Fr., *parlement*, from *parler*, to speak).—The Parliament of the United Kingdom is composed of the King or Queen, and the other two estates of the realm: viz., the Lords, spiritual and temporal, and the Commons. Each of these powers enjoy separate rights and powers, and collectively they make the laws of the empire. The Sovereigns have ever enjoyed various prerogatives by prescription, custom, and law, which assign to them the chief place in Parliament, and the sole executive power; but they are under oath to govern the people "according to the statutes in Parliament agreed on, and the laws and customs of the same," the power of Parliament over the crown being recognized as an important principle of the constitution. The Lords, spiritual and temporal, sit together and jointly constitute the House of Lords (or Peers), which is the second branch of the legislature in rank and dignity. The Lords spiritual are the English archbishops and bishops (with a few exceptions) of the Church of England. (See BISHOP.) The two archbishops and twenty-four of the English bishops have seats in Parliament. The Lords temporal are divided into dukes, marquises, earls, viscounts, and barons, whose titles are of different degrees of antiquity and honour. The temporal Lords, who sit by their own right, are the Peers of England, the Peers of Great Britain, created since the union with Scotland, and the Peers of the United Kingdom, created since the union with Ireland. The old peerage of Scotland is represented by members of that body chosen for each Parliament, and the Irish peerage sends to the House representatives, chosen for life. At present (1883), the members of the House of Lords are—6 peers of the blood royal, 2 archbishops, 20 dukes, 18 marquises, 114 earls, 26 viscounts, 24 bishops, 257 barons, 16 Scottish and 28 Irish representative Peers—in all, 511. The House of Commons consists of the members for counties, the members for boroughs (the former, in England and Ireland, being technically called knights of the shire, the latter burgesses), and the representatives of the Universities. The number of sitting members at the opening of the session of 1883 was: For England and Wales, 489; Scotland, 60; Ireland, 103—total, 652. The number of the members, settled by the various Parliamentary Representative Acts, was 658, but 2 English and 2 Irish boroughs, returning between them 6 members, have been disfranchised, leaving the number of sitting members as stated. There are 283 members for counties, 360 for boroughs, and 9 for Universities, thus apportioned—Counties: England and Wales, 187; Scotland, 32; Ireland, 64. Boroughs: England and Wales, 295; Scotland, 26; Ireland, 39. Universities: England and Wales, 5; Scotland, 2; Ireland, 2. The first knights of the shire, after the Norman conquest, are supposed to have been the lesser barons, who, after a time, gradually forebore to attend, and selected some of the richest and most influential of their body to represent them. The three estates of the realm appear, originally, to have sat in one chamber; but afterwards, when they were joined by the burgesses, they sat separately. When this separation took place is uncertain. In the

reign of Henry VI. there were not more than 300 members of the House of Commons, being about 25 more than in the reign of Edward I., and 50 more than in that of Edward III. The Legislature added 27 for Wales, and 4 for the county and city of Chester, in the reign of Henry VIII., and 4 for the county and city of Durham, in the reign of Charles II.; while 180 new members were added by royal charter between the reigns of Henry VIII. and Charles II. Forty-five members were assigned to Scotland as her proportion of representatives on the union of that kingdom with England, and 100 to Ireland when her Parliament became incorporated with that of the United Kingdom. By these successive additions, the number was increased to 658. By the Reform Acts of 1832, various changes were effected in the mode of representation, and a redistribution of seats took place; and by the Reform Act of 1867, 11 English boroughs were totally disfranchised, 23 others lost one member each, and 25 seats were bestowed on new boroughs and universities, and 28 on counties. The legislative authority of Parliament extends over the United Kingdom and all its colonies and foreign possessions; but, in the ordinary course of government, it does not legislate directly for the colonies, that being more directly under the queen in council, or local legislatures. There are no limits to the power of Parliament in making or altering the laws, or in governing the empire. In the words of Sir Edward Coke, "It can regulate, or even model the succession to the crown, as done in the reigns of Henry VIII. and William III. It can alter and establish the religion of the country, as was done in the reigns of Henry VIII., Edward VI., Mary, and Elizabeth." The constitution has assigned no limits to its authority; but, in familiar language, there are said to be some subjects upon which Parliament has no right to legislate. The summoning and dissolution of a Parliament, as well as the calling and adjourning of it from time to time, are among the prerogatives of the crown. When a new Parliament is to be summoned, the Lord Chancellor receives a written command from the sovereign in council to that effect, and directs the clerk of the crown in chancery to issue writs to the several electoral districts. The demise of the crown is the only contingency upon which Parliament is required to meet without summons in the usual form. At the commencement of each session the Sovereign delivers a speech, either in person or by commissioners, declaring the causes for which the members are summoned; and, until this is done, neither House can proceed with any business. The speech is delivered in the House of Lords, the Commons being summoned to the bar to hear it. The Sovereign may also prorogue Parliament at any time, when not only are the sittings at an end, but all proceedings pending at the time are quashed, except impeachments by the Commons, and writs of error and appeals before the House of Lords. Every bill must be renewed after a prorogation as if it had never been introduced, though the prorogation be for no more than one day. Adjournment is solely in the power of each House respectively. By the Septennial Act (1 Geo. I. c. 38), passed May 1, 1715, Parliament ceases to exist after seven years from the day on which, by the writ of summons, it was appointed to meet; but the Sovereign may at any time dissolve Parliament, and a Parliament has never yet, since the passing of the Act, existed for the full legal period. The usual form is by procla-

mation under the great seal, after having been prorogued to a certain day. The first duty of a new Parliament is the choice of the Speaker of the House of Commons. A commission, with the Lord Chancellor at its head, announces that the Sovereign will state the cause of the calling of Parliament, when the members are sworn in, and requests that the gentlemen of the House of Commons will proceed to the appointment of some proper person to be their Speaker, and present him for the royal approval. The Speaker elect goes to the House of Lords where he receives the royal approval. On his return from the Lords, he reports to the House his approval by her Majesty, and her confirmation of their privileges. He then takes and subscribes the oath required by law, and is followed by every other member present. When the royal speech has been read, an address in answer to it is moved in both Houses, two members in each House being selected by the administration for moving and seconding the address; and they appear in their places in uniform or full dress for that purpose. The Speaker of the House of Commons is said to "have neither eye to see, nor tongue to speak, in the House, but as the House, whose servant he is, is pleased to direct him." By recent regulations, his power has been increased, subject to the sanction of the House. The Lord High Chancellor, or Lord Keeper of the Great Seal, presides in the House of Lords; but his position differs from that of the Speaker of the House of Commons, as he can take part in the debates, and is a member of the Ministry of the day. He has no right to enforce order, and is invested with no more authority than any other member; and if not himself a member (as has sometimes, although rarely, been the case), his duties are limited to the putting of questions and other formal proceedings. He cannot adjourn the House, or do anything else as mouth of the House, without the consent of the Lords first had.

Members of Parliament.—This title is popularly limited to members of the House of Commons, who add the letters M.P. to their names, but is strictly applicable to Peers also. Every member of Parliament is obliged by the constitution to attend the service of the House to which he belongs, though on ordinary occasions this is not enforced by any regulation; but when any special business is to be considered, means are taken to secure his presence. In the House of Lords, the ordinary way is to order the House to be summoned on a particular day, a notice of which is sent to each Lord. When urgent business is to be brought before either House, sometimes the House is ordered to be called over, in which case it is usual to name a day which will enable members to attend from all parts of the country; and absent members are liable to fines and imprisonment, rarely, however, enforced. The property qualification formerly required for members of the House of Commons (£200 a year for county members, and £200 a year for borough members), was abolished in 1832. No member of the House of Peers, alien, or person, who has been convicted of an offence against the criminal laws, can be a member of the House of Commons, and the judges, and generally all other holders of government offices (not attached to the Ministry), and the clergy of the Established Church, and Roman Catholic Church, are excluded. The disqualifications which formerly operated against lay Roman Catholics and Jews have been removed; and by an alteration in the terms of the oath, the latter are enabled to sit in the House. The permission to make a solemn affirmation in place of the oath opens the doors of the House also to Quakers and Moravians. A member of the House of Commons cannot resign his seat in a direct manner; but as the acceptance of any office of profit under the Crown makes his election void, a member wishing to withdraw from the House applies for the stewardship of the Chiltern Hundreds,

an office to which no duties are attached, and with a merely nominal salary, and which is maintained for the express purpose of meeting the convenience of members wishing to vacate their seats, who resign it immediately the desired exit is obtained. Formerly, a member of Parliament, holding one Ministerial office, vacated his seat by the acceptance of another office, but by the Reform Act of 1867, a change of office does not vacate the seat; and as the resignation of a Minister is not completed until a successor is appointed, if he resume office without that appointment taking place, his seat is not vacated.

Rules of Procedure.—The proceedings of Parliament are regulated chiefly by usage, or by settled practice, apart from distinct orders and rules. The orders and resolutions by which proceedings are regulated are divided into (1) standing orders, (2) sessional orders, (3) orders or resolutions undetermined in regard to their permanence. Standing orders are for the permanent guidance and order of proceedings, having been agreed to at various times, and if not vacated or repealed, endure from one Parliament to another, and are of equal force in all. Sessional orders are agreed to at the commencement of each session, and are not intended to endure beyond that period. The operation of orders or resolutions of either House, of which the duration is undetermined, is not settled upon any certain principle; but many of them are practically held good in succeeding sessions and by different parliaments, without any formal renewal or repetition. Parliament meets annually, generally in the month of February, but sometimes for a short session, if necessary, before the close of the year. The Lords usually meet for the dispatch of legislative business at five o'clock in the afternoon, and the Commons at a quarter before four, except on Wednesday and on other days specially appointed for morning sittings. The business of each House begins with prayer, a bishop officiating in the House of Lords, and the chaplain to the House in the House of Commons. The Upper House may proceed with business if only three lords be present, but the Commons require 40 members, including the Speaker, to enable them to sit. At any time during the proceedings, if there are less than 40 members present, the attention of the Speaker may be formally called to the fact; and if after a short interval, to permit members to arrive from the dining-room, library, or other parts of the House, the number be still deficient, the House at once adjourns, and the business in hand falls through. This proceeding is known as a "count out." Every matter is determined in both Houses upon questions put, and resolved in the affirmative or negative, as the case may be. There can be but one question at a time before the House, and that question must simply be "Aye" or "No." Every member is entitled to propose a question, called "moving the house," or "making a motion;" but it is customary to state the form of his motion on a previous day, and to have it entered in the order-book or notice-paper. In the House of Lords, a peer addresses his speech "to the rest of the lords in general." In the Commons a member addresses the Speaker. Members of each House are entitled to put questions to ministers or to other members respecting matters of public policy or proceeding, or to obtain information desirable to be before the House; but notice must be given previously so as to afford time for the consideration of the reply. These questions and answers, and notices of motions to be made, are the first business of the sitting. Private members wishing to introduce motions or bills ballot for preference. When a member speaks, it must be to some question before the House, or as introducing a question. If he wanders from the subject, introducing matter extraneous to the subject, a cry of "order," is generally raised, and appeal is made to the Speaker, who decides whether the member is in order or not, and his ruling is implicitly obeyed. No member is entitled to speak twice on the same question, except the mover of a motion, who is permitted to reply to those who have supported any amendment on it before it is put to the vote, or when the House is in committee on a bill. Motions upon public questions require to be seconded before they can be discussed. When all the preliminary debates are disposed of, the question is then read by the Speaker, who in the Lords says, "As many as are of that opinion say 'content,'" and in the Commons, "As many as are of that opinion say 'content,'" and as many as are of a

contrary opinion say 'not content;' and in the Commons, 'As many as are of that opinion say 'aye,' and as many as are of the contrary opinion say 'no.' The Speaker then declares it as his opinion that the "contents" or "ayes" or the "not contents" or "noes," have it. If the House acquiesce in this decision, the question is settled; but if the minority dispute the fact, the House then proceeds to a division. Strangers are ordered to withdraw, the division-bell is rung so as to be heard in all parts of the House, the doors are then locked, and the question again put from the chair. The "ayes" or "contents" are then directed to go into the right lobby, and the "noes" or "not contents" into the left lobby. Two tellers are then appointed for each side, who count the number of members as they return into the House, and their names are recorded by the clerks. When both parties have returned into the House, the tellers on other side come up to the table and report the numbers. In the Lords, the Lord Chancellor, or other presiding peer, votes with the other peers, and has no casting vote in the case of equality, the question being declared in the negative; but in the Commons, the Speaker, who has no vote otherwise, in the case of equality has a casting vote, which is usually given so as not to make the decision of the House final, leaving the question open for debate on another occasion. A committee of the whole House is, in fact, the House itself, presided over by a chairman in place of the Speaker, and this chairman also acts as Deputy-Speaker. In the session of 1833 were constituted two grand committees, of 60 named members each, but open to all members, for the consideration, at some time when the House of Commons is not actually sitting, of bills relating to commercial and legal matters. By the appointment of these grand committees (a proposition carried in a special session in the autumn of 1882), it is expected that not only a considerable saving of time will be effected, but that as the members serving on each committee are selected on account of their special knowledge and qualifications, more efficient legislation may be secured. A select committee is composed of certain members appointed by the House to consider or inquire into any matters, and to report their opinion for the information of the House. In both cases they are restrained from considering matters not specially referred to them by the House. *Introduction and passing of Bills.*—In form, a bill is, and always was, a petition by Parliament, and the act into which it resolves itself is the granting of the petition by the Sovereign. No bill passes into law unless it has received three readings in each House, has passed each House, and has received the royal assent. (See BILL.)

Evading a Decision.—There are several methods adopted for preventing a question being put so as to obtain a decision. One is, to move the adjournment of the House; and if that motion is carried, the matter in discussion is effectually disposed of without any decision being arrived at. The practice of repeatedly moving that the House be now adjourned and taking division became such a cause of obstruction, that in the extra session of 1882 a rule was adopted to check the evil. A motion that "the debate be now adjourned" does not avoid but only postpones the decision to some future sitting, when the member who has moved the adjournment is expected to re-open the debate. Another method of avoiding a debate on a particular subject, not connected with the passage of a bill, is moving that "the orders of the day be now read"—that is, that the regular business be proceeded with, and if that is carried, a discussion on the other subject is avoided. A mode of procedure which requires some explanation is that known as "moving the previous question," which means that when the debate on a subject is concluded, and the Speaker is about to put the question to the House, a motion is made that "the question be now put," and if that is carried in the negative, of course no decision on the main question can be taken. The mover and seconder of "the previous question" are opposed to the settlement of the main question, and therefore vote against their own motion. A question may be also effectually negatived if an amendment, substituting words entirely altering those of the original motion, be carried, as, for instance, the introduction of the word "not" in the sentence "It is desirable." Recently a very objectionable mode of "blocking" a bill has been

resorted to. By a standing order of the House of Commons, no bill, respecting which notices of amendment have been given, can be discussed after midnight; and that order has been taken advantage of, for the purpose of obstruction, by giving notices of amendments without any intention of moving them, so that if the hour of midnight is reached before the order of the day for reading the bill is arrived at, its consideration is indefinitely postponed. Wednesday sittings (appropriated, except in cases of public emergency, to bills and subjects introduced by private members, that is, not holding ministerial office), the House adjourns at six o'clock, and all debate must terminate a quarter of an hour before that time, and if no decision has been arrived at, the subject under discussion falls through. This gives an opportunity for "talking against time," frequently very persistently resorted to by members against a particular bill or motion to which they object, but which they do not expect to be able to defeat on a division.

Privileges of Parliament.—Each House possesses privileges which are jealously maintained. The House of Commons claims the privilege of speech at the opening of every new Parliament, but that privilege does not permit individual members to use offensive expressions in the House. If he does so, he is liable to be reprimanded by the Speaker, or if the offence be of a serious character, may, unless he make a full and acceptable apology, be committed to the custody of the sergeant-at-arms and imprisoned. Persons not members of the House may also be committed for breach of privilege, and no person so committed can be admitted to bail, nor can the cause of commitment be inquired into by any court of law. Breaches of privilege extend to the utterance or publication of libellous reflections on Parliamentary proceedings, or on members of the House, or assaulting or threatening a member, or wilfully disobeying the orders of the House; but, in the latter case, if the order exceed the jurisdiction of the House, appeal may be made to a court of law. Offering a bribe to, or accepting a bribe by, a member, interfering with the officers of the House in the performance of their duty, or tampering with witnesses who are to be examined before the House or a Parliamentary Committee, are also punishable breaches of privilege. Peers are permanently privileged from arrest or imprisonment in civil matters; and members of the House of Commons are similarly privileged during the sitting of Parliament, for forty days after each prorogation, for forty days prior to the day to which Parliament is prorogued, and for a certain period after prorogation. Witnesses, and others in attendance on the business of Parliament, are also exempt from arrest in civil matters, but not for indictable offences. One privilege is scarcely ever exercised, that of preventing the publication of reports of the debates. Once or twice in this century a successful effort has been made to exclude the reporters, technically "strangers," whose presence in the House the Speaker, his attention being formally called to the subject, was bound to exclude; but among the new regulations is one to the effect that they cannot be turned out at the option of one member, or even of a minority, but the sense of the House must be taken on the subject. Practically the representatives of the press are recognized and welcomed, accommodation for them being provided at a considerable expense. Peers charged with treason, misprision of treason (see TREASON), felony, or misprision of felony, are tried by other peers in the Court of Parliament, presided over by the Lord High Steward; but for misdemeanours, they are tried before the ordinary courts of justice. On conviction, a peer is (by 4 & 5 Vict. c. 22) liable to the same punishment as would be inflicted on any other person. The Commons has the right to impeach any person charged with an offence against the State, by misconduct in any high office. The trial is conducted in such cases by managers appointed by the Commons (as in the famous impeachment of Warren Hastings), and the trial takes place before the peers in the court presided over by the Lord High Steward. On the conclusion of the evidence and speeches, the president puts the question separately to each peer, beginning with the junior baron, and the answer takes the form of "Guilty (or not Guilty), on my honour." The peers (practically represented by such lords as hold, or have held high legal

office) also sit as a final Court of Appeal in some special cases.

Committee of Supply and Ways and Means.—It is, as already noticed, a privilege of the House of Commons that it has the exclusive right to impose taxes and vote money for the public service. The Lords cannot make any alteration in a bill of supply. The Committee of Supply votes a certain sum, and the Committee of Ways and Means settles how that sum is to be raised, and passes resolutions on which bills are subsequently founded, and these bills must receive the assent of the Peers and the Crown. The action of the Committee of Ways and Means depends on the financial statement of the Chancellor of the Exchequer. (See BUDGET.) Although the peers cannot impose a tax or a duty, they can vote a proposition for repealing one made by the other House, as in the case of the repeal of the paper and other duties. The first financial business of a session is passing the *Mutiny Bill*—that is, providing for the expenses of the army and marines for the ensuing year, the permanent maintenance of a standing army being unconstitutional, and therefore the money to provide for the military service is voted from year to year. Were it not voted, the soldiers and marines must be disbanded, as not only would there be no maintenance for them, but their existence as a force would be illegal.

Parliamentary Officials.—*House of Lords.*—The Lord Chancellor has a salary of £4,000 for acting as Speaker, and there is a chairman of committees (acting when necessary as Deputy-Speaker), with £2,500. There are also a clerk of Parliament (£2,000), a clerk-assistant (£2,000), several other clerks (£1,200 to £1,500), a sergeant-at-arms (£1,500), a yeoman-usher (£1,000), a gentleman-usher of the black rod (£2,000), and various other salaried officials. *House of Commons.*—The Speaker, who is a member of the House elected to the office at the opening of each Parliament, and vacating it when Parliament is dissolved, has a salary of £5,000, and a handsome residence, forming part of the Palace of Westminster where Parliament sits; the Deputy-Speaker and chairman of committees has a salary of £2,500, the chief clerk of the house, £2,000, the clerk-assistant £1,500, and the second clerk, £1,250. There is a large staff of subordinate clerks. The sergeant-at-arms has £1,200, and his deputy and assistant, £800 and £650 respectively.

Judicial Functions of the House of Lords.—The Lord Chancellor and three legal Lords (with salaries of £6,000 each), and such peers of Parliament as are holding, or have held, high judicial office, form an appellate tribunal, known as the Lords of Appeal in Ordinary, the highest tribunal in the realm. Reference has been made to the trial of peers, and the Lords also exercise jurisdiction in respect to claims of peerage and offices of honour.

Election of Members of the House of Commons.—A candidate must be nominated by an official notice paper, by a proposer, seconder, and eight other duly registered electors of the constituency. Voting now takes place by ballot (see BALLOT), and by the Reform Act of 1867 the franchises were re-adjusted as follows:—*For Cities and Boroughs.*—Rated householders, however low the rent ("Household Suffrage"); compound householders, charged with rates in their rent; lodgers occupying to the value of £10 per annum unfurnished; liverymen in and for the City of London; freemen in and for some of the ancient corporations. *For Counties.*—Freeholders to the value of not less than 40s. per annum; leaseholders for terms originally not less than 60 years, where the annual value is not less than £2; rated occupiers where the annual value is not less than £12. The qualification for ratepayers and lodgers, to be effectual, must have subsisted for twelve months, prior to the 15th of July in the year when the person qualified becomes entitled to be on the register.

History of Parliament.—The germ, but not much more than the germ, of the British Parliament may be found in the *Wittenagemote* ("meeting of wise men") which, under the Saxon kings, formed the great council of the nation; but that was a judicial and ministerial, as well as a legislative body, composed of the great feudal lords and landowners, and scarcely in any sense represented the great body of the

people. Coke, in his "Institutes," says the name of Parliament was given to this council as early as the time of Edward the Confessor, and it is probable that such was the case. Norman customs and the Norman tongue finding great favour at the court of that king; but the name had no fixed place in legal records until it appears in the statute of Westminster, 1272, in the reign of Edward I. The first summons of barons by writ was made by King John in 1205. In January, 1236, the barons, under Henry III., held a council (or Parliament, as it has since been popularly named), at the Abbey of Merton, in Surrey, and enacted the provisions of Merton, the most ancient body of laws next after Magna Charta. (See BASTARD.) Henry, like some other English monarchs, appears to have imagined that the principal duty of any council or Parliament was to raise supplies of money for the use of the king, but was at length compelled, by the stern attitude of Simon de Montfort and other barons, to promise that some securities should be given for the better government of the kingdom, which was almost in a state of insurrection; and in May, 1258, a great council met at Westminster, and in the following month at Oxford, where, we are told, "so vigorous and novel were the conclusions arrived at, that the opponents of reform gave to the meeting the name of the mad Parliament." There was, however, considerable method in its madness; for among other matters, it was enacted that provision should be made for the orderly inheritance of property, for preventing disparaging marriages of wards and the wasteful grants to aliens, and that the fortresses of the kingdom should be put into the hands of Englishmen only. London and the other principal towns gave a ready assent to the statutes of Oxford, which were solemnly proclaimed, together with the Great Charter, in the Latin, French, and English languages, in every county, in October, 1258. For the information, especially of the common people, a circular letter, signed by the king, was distributed; and that was the first State document written in the English language. The king and barons had alike solemnly sworn to maintain the statutes of Oxford; but Henry soon obtained permission from the Pope to break his oath, and announced a revocation of the statutes, adding, as if an act of grace, that a pardon would be granted to the barons who had subscribed them. The great barons' war followed; and after the defeat of the king at the battle of Lewes, in 1264, a great council was held in London in June, to which each county sent four knights, and which ratified the barons' proceedings, and made arrangements for carrying on the government. In the following January a Parliament was ordered to assemble in London, and, for the first time, the cities and towns were each required to send "two discreet, loyal, and honest men" to the council; and, unquestionably, this is the foundation of the House of Commons; and to the great Simon de Montfort is due the origin of the British Parliament which now exists. In Sir James Macintosh's "History of England," that accomplished writer says, "De Montfort was the instrument of disclosing to the world that great institution of representation which was to introduce into popular governments a regularity and order far more perfect than had hitherto been purchased by submission to absolute power, and to draw forth liberty from confinement in single cities to a fitness for being spread over territories." In 1311 annual Parliaments were ordered; and in 1322, Welsh representatives were added to the assembly. So late as 1342, the two branches of the legislature met in the same room, and the joint-assent was necessary before any act could become law; but afterwards the Commons met in the old chapel of St. Stephen. The first Speaker of the House of Commons, Peter de la Mare, was elected in 1377. The Parliament now exercised important powers; and in 1399, Richard II. was deposed by it. In October 1404, a Parliament from which lawyers were excluded met at Coventry, and was popularly known as the "unlearned Parliament." On 1407, the Lords and Commons were permitted to assemble and transact business in the Sovereign's absence. Two years afterwards, members were obliged to reside at the places they represented. The Peers did not sit as a matter of right, but in obedience to summons from the king. In 1451, Henry VI. summoned 53 temporal lords to Parliament; and Henry VII. summoned only 29, and of these several had only

recently been elected to the peerage. The "Journals of the Lords" were first kept in 1509; and from that year Acts of Parliament were consecutively printed. Members were protected from arrest. In 1509 and 1547 the "Journals of the Commons" were begun. "In the 16th century," writes Macaulay, "the constitution of the House of Commons tended greatly to promote the salutary intermixture of classes. The knight of the shire was the connecting link between the baron and the shopkeeper. On the same benches on which sat the goldsmiths, drapers and grocers who had been returned to Parliament by the commercial towns sat also members who, in any other country, would have been called noblemen, hereditary lords of manors, entitled to hold courts and to bear coat-armour, and able to trace back an honourable descent through many generations. Some of them were younger sons and brothers of lords. Others could boast of even royal blood. At length the eldest son of an Earl of Bedford (Francis Bedford, called in courtesy by the second title of his father), offered himself as candidate for a seat in the House of Commons, and his example was followed by others." In 1629, Charles I. dissolved Parliament, which did not meet again for eleven years; and in November, 1640, the famous Long Parliament was summoned, and sat till 1653, when it was dissolved by Cromwell. One of the achievements of this Parliament was the abolition of the House of Lords, which, however, reassembled in 1660, after the Restoration, but at first consisted of temporal peers only, the bishops not regaining their seats until the following year. In 1694, the Act providing for the triennial duration of Parliament was passed. After the union with Scotland, the Parliaments of the two kingdoms merged into the Parliament of Great Britain, which met on the 23rd of October, 1707. In 1716, the Triennial Act was repealed, and the Septennial Act, still in force, passed. In February 1801, the union with Ireland having been effected, the first Parliament of the United Kingdom of Great Britain and Ireland met. Since then most important changes in the constitution of Parliament have been effected by the Reform Acts of 1832 and 1867-8. (See REFORM ACTS.) In 1881, and again in another session in 1882, so persistent was the obstruction offered by some members of the House of Commons taking advantage of the existing rules of procedure, it was found necessary to effect many important changes, the most novel of which was the adoption of a method of bringing debates to a close when a majority of the House thought the subjects had been sufficiently discussed, and regulating the right to move adjournments.

Parliament of Scotland.—The first great national council, consisting of barons, prelates, and abbots, met at Soons, in 1192. Afterwards a few burgesses were summoned, but there was never a Scotch House of Commons. The last meeting of the Scottish Parliament, previous to the union with England, was on the 16th January, 1707.

Parliament of Ireland.—The origin is generally attributed to conferences of the English settlers in the hall of Tara, 1173. In 1295, writs for knights of the shire were issued. The last meeting of the Irish Parliament was on the 2nd August, 1800, the Act for the union having passed.

Number of Parliaments.—Historians generally consider the first regular Parliament to have been that which met in 1295, in the 27th year of the reign of Edward I. Between that date and the end of the reign of Henry VII. there were 143 Parliaments; and since then there have been 82 Parliaments—in all, 225 Parliaments.

PARLIAMENT OF PARIS.—In 1190, Philip Augustus instituted the Parliament of Paris, which assembled three times a year. The ancient French Parliament, which existed as early as the accession of the Capetian dynasty, in 987, was a court composed of the great lords and prelates of the realm, who assembled under the presidency of the king, and accompanied him in his removals from place to place. The Parliament of Paris was divided in 1302 by Philip IV. into three chambers—the grand chamber, or chamber of pleas, for the decision of causes relating to the crown and matters of public

importance; the chamber of inquests, which regulated appeals; and the chamber of requests, for the transaction of ordinary Parliamentary business. The Parliament thus became the chief court of justice in France. At subsequent periods alterations were made by the addition of new departments. The Parliament was suppressed in 1771 by Louis XV., but restored four years afterwards by his successor, Louis XVI. It was finally abolished by the National Assembly in November, 1789.

PARRICIDE, *par'-ri-side*.—The murderer of a father. In Rome the name was given to any one who murdered a near relative; and the criminal was sewed up in a sack with a live cock, a viper, a dog, and an ape, and cast into the sea.

PARSEES, *par'-sees*.—The followers of the ancient Persian religion as reformed by Zoroaster. The term is no doubt derived from the word *Pars*, or *Fars*, i.e., Ancient Persia; but the Parsees now reside chiefly at Bombay, Surat, and the vicinity, now under British rule. They are recognized as one of the most respectable thriving portions of the community. They do not eat anything prepared by a person of another religion, and they object to pork and beef; they can only contract marriages with persons of their own caste and creed. Polygamy is prohibited, and adultery and fornication are punishable by death. Their religious rites consist principally of worship of fire as an emblem of the Deity. (See also GUEBRES and ZOROASTRIAN RELIGION.)

PARSON, *par'-son* (Lat., *persona ecclesie*).—One who has full possession of all the rights of a parochial church. He is so called because by his person the Church is represented; and is in himself a body corporate, to protect and defend the rights of the Church. He has, during his life, the freehold in himself of the parsonage-house, glebe, tithes, and other dues, except where these are appropriated to the lord of the manor or other patron of the living.

Parsonage, *par'-son-aj*.—A rectory endowed with a glebe, house, lands, tithes, &c., for the maintenance of the minister.

PARSWANATHA, *par'-wan-a-tha*.—The 23rd of the deified saints of the Jainas. (See JAINAS.)

PARTITION TREATIES.—A name given in diplomacy to various treaties, the object of which was to effect the partition of certain states and the transference of portions to other powers. The principal treaties of this kind were the first treaty between England and Holland (1698) for regulating the Spanish succession and ceding provinces to France; between France, England, and Holland (1700), also in connection with the Spanish succession; and the three treaties (in 1772 and 1775) for the partition of Poland.

PARTNERSHIP, *part'-ner-ship*.—An agreement voluntarily entered into by two or more individuals to unite their capital, labour, and skill, all or any of them, for carrying on some business or undertaking in common, each deriving a certain share of the profits, and generally bearing a corresponding share of the loss arising therefrom. As commonly used, the term partnership is only applied to the smaller associations of individuals, comprising usually a few members. Where an association, having gain for its object, consists of more members, it generally takes the shape of a joint-stock company, and most usually, in com-

panies formed since 1855, that of a limited liability company, in which each partner is only liable to be called on to pay the sum he expressly guaranteed, otherwise, in general, each partner would be liable, singly, for the debts of the whole partnership. The Limited Liability Act (18 & 19 Vict. c. 133) has been several times amended. (See JOINT-STOCK COMPANIES.) A partnership is commonly constituted by a written instrument, usually by deed, the provisions of which are denominated articles of partnership. It may be either for a certain fixed time or for an indefinite period, and may be dissolved either by the natural expiration of that period or the mutual agreement of the parties, or, in the event of disagreement, by decree of a court of equity. The mere consent of the parties is sufficient to constitute a partnership; and they may distribute their profits and regulate their affairs in any way they please among themselves, but they cannot, by so doing, limit, defeat, or elude, their responsibility to others. In ordinary partnership, each member, however small his share, is liable for all the debts of the company. To constitute a person a partner, he must be a participator in uncertain or casual profits depending upon the accidents of trade. Where the premium or profit he is to receive is certain and defined, he is not a partner; and if he is only to receive a portion of the profits as payment for his labour as a servant or agent of the company, he is not a partner. A participation in the profits without a participation in the losses, constitutes a partnership as regards third parties. Partners are ordinarily divided into ostensible, nominal, or dormant. Partners whose names appear before the world as such, are ostensible partners; but if they have no actual interest in the concern, then they are only nominal partners; those whose name and connection with a firm are purposely concealed from the world are dormant partners. A dormant partner is, in all cases, liable for the contracts of the firm during the time that he is actually a partner; and a nominal partner is, in the same manner, liable during the time that he holds himself out to the world as a partner. The rights, duties, and obligations of the partners, *inter se*, are usually laid down in articles of partnership; and each partner has a right to hold his co-partners to the specified purposes of their union while the partnership continues. Partners, though they should act in a fraudulent manner as respects their co-partners, bind the firm in all matters connected with its peculiar dealings. When one of the partners has been made liable for the debts of the firm, he has his relief against the others for a due portion of it. Partners cannot be relieved from future liabilities to third parties without notice to them, and the world in general, that the partnership has ceased.

PARTY, POLITICAL.—It is a tradition, not an essential principle, of the British Constitution; that government can be best carried on by the opposition and mutual control of two great political parties, one being in power, and the other forming the opposition. (See OPPOSITION.) The two great parties in this country are the Whigs, or Liberals (including many shades of opinion), and the Tories, or Conservatives, rather more compact, but with some irregular followers. (See TORY and WHIG.)

PASCH. *pasch.*—The Jewish Passover, or feast of Easter. (See PASSOVER, EASTER.)

PASCHAL, pas-kal.—Pertaining to the Passover: as the paschal lamb, which was offered by the Jews in this festival, and prefigured Christ. (See PASSOVER.)

PASSENGERS, pas'-sen-jers (Fr., *passager*).—Persons conveyed for hire from one place to another on board ship. Passage-ships, or those appropriated to the conveyance of passengers, are generally placed under certain regulations; and the extent to which emigration is now carried renders it of the utmost importance that these regulations be properly carried out. The Passengers Act, 1855 (18 & 19 Vict. c. 119), extends generally to every ship carrying more than thirty passengers from the United Kingdom to any part out of Europe, and not being within the Mediterranean, and to every such colonial voyage as therein described. It provides that no such ship shall clear out to sea until duly surveyed and reported seaworthy, nor until the master shall have obtained, from the emigration authority at the port of clearance, a certificate that the requirements of the Act have been duly complied with, and that the ship is in all respects fit to proceed on her voyage. It also makes a variety of regulations calculated to limit the number and to insure the safety and accommodation of the passengers. This Act was amended in 1863. The owners of the ship do not engage to carry with absolute safety, but merely to omit no necessary precautions against loss or danger. The Merchant Shipping Act, 1854 (17 & 18 Vict. c. 104), provides that every passenger-steamer—that is, every British steam-ship carrying passengers to, from, or between any place or places in the United Kingdom, excepting steam-ferry-boats working in chains, commonly called steam-bridges—shall be surveyed and reported upon to the Board of Trade at least twice in the year, and shall proceed on no voyage with passengers, unless the owner or master has received from the board a certificate applicable to the voyage, and showing that the provisions of the Act have been complied with; and if the person in charge receives on board any number of passengers greater than the number allowed by the certificate, the master or owner shall incur pecuniary penalties. This Act was amended by Acts passed in 1862, 1867, 1871, 1872, 1873, 1875, 1876, and 1880. Passengers by public vehicles are protected by Acts passed in 1831, 1838, and 1853. (For information respecting the care of passengers' luggage in inns, see INNS.) A railway company is responsible for the negligence of any of its servants, also for accidents and passengers injured; in case of death, the parent, husband, or wife, or children of the deceased passenger, are entitled to compensation, except when the accident was caused by the passenger's own negligence. Railway companies generally impose a limit on the amount of luggage a passenger may carry without extra payment, and do not include in it articles intended for sale. Gold or silver in a manufactured state, jewellery, watches and clocks, title-deeds, pictures, glass, china, silk, furs, and lace, and some other articles, if exceeding £10 in value, must be paid for separately; and an increased rate must be paid if the company is to be held responsible for loss or damage. Except such articles, the company is bound to receive, carry securely, and deliver, the personal luggage of passengers, notwithstanding the passenger has it in his personal charge. A carrier has a lien on the luggage for the fare; but the general practice

of prepayment is a provision against any difficulty arising out of that right.

PASSIONISTS.—A congregation of priests of the Roman Catholic Church, founded in 1737 by Paul Francis, or Paul of the Cross (canonized in 1867), who, with a small body of followers, devoted himself to setting forth by preaching, example, and devotional practices, the mercy and love of God as manifested in the passion of Christ. The cross is their especial emblem, and appears conspicuously in all their churches and monasteries. They hold missions when invited by local clergy. The principal convent of the congregation is on the Celian Hill at Rome; and they have houses in Ireland, Belgium, America, and Australia. The first home was set up in England in 1841, and a monastery at Highgate, near London, opened in July, 1876.

PASSION-WEEK.—In the Church of England, this is commonly considered the week preceding the festival of Easter, because in that week our Lord's passion and death happened, corresponding to Holy Week in the Roman Catholic Church; but by the strict rubric, it is the week preceding Holy Week, and begins on the fifth Sunday in Lent, known as "Passion Sunday." This week was observed from an early period in the Church; and according to Chrysostom, "In this week many increase their labours, some adding to their fastings, others to their watchings, others give more liberal alms, testifying the greatness of the Divine goodness by their care of good works, and more intense piety and holy living." In the Roman Catholic Church the whole of the last fortnight in Lent is known as Passion-tide. The Thursday in this week, which was the day on which Christ was betrayed, was observed with some peculiar customs. (See MAUNDY-THURSDAY.)

PASSIVE TITLE.—In Scotch law, the liability of an heir, or one who represents the estate of a deceased person, to pay all the debts of the deceased. Some restrictions have been placed on this liability by recent legislation.

PASSOVER, pas'-o-ver (Heb., *pesach*, a leap or passage).—Among the Jews, this was a solemn festival instituted in commemoration of their coming out of Egypt, because the night before their departure the destroying angel that slew the first-born of the Egyptians passed over the houses of the Hebrews, for they were marked by the blood of the lamb; hence called the paschal lamb. The events which led to this institution are related in the book of Exodus, xii. and xiii., and also in the other books of the Pentateuch. The passover was observed on the 14th day of the first month (Nisan), and on the 15th day commenced the seven days' feast of unleavened bread. Properly, the term passover applies only to the 14th day, but it was commonly used to include also the feast of unleavened bread which followed. Modern Jews impart to the celebration of the passover the character of a hallowed family feast. Among the stricter religionists, the celebration extends over two evenings, from the uncertainty formerly prevalent respecting the fixing of the period of the new moon, which led to the Sanhedrin at Jerusalem ordaining that the orthodox should hold the festival on two successive days. There are special prayers and hymns to be recited and sung. Christians regard the passover as a type of the sacrifice of Christ; and in two passages of

the New Testament (John xix. 36 and 1 Cor. v. 7), the Saviour is spoken of as "Christ our Pass-over." The Christian Easter is, in some respects, the equivalent of the Jewish passover. (See EASTER.)

PASSPORT, pas'-port (Fr., *passport*).—A letter, license, or document given by an authorized officer of a State, granting liberty to the person or persons therein named to pass or travel, either generally or through a country named, and to remain there for an indefinite or specified period. Such a document states the name, surname, age, and profession of the bearer, and entitles him to the protection of the authorities of the countries through which he may pass. On arriving at the outposts or frontier towns of a foreign State where passports are necessary, the traveller is obliged to produce his passport for examination, and at any town where he intends remaining for a time, it has to be given up to the authorities. A British subject obtains a passport, good for life, from the Secretary of State for Foreign Affairs, on payment of two shillings, but must give respectable references as to his identity. Passports are not required in France, from British subjects, and they are not necessary for visitors to Belgium, Holland, Germany, Austria, Switzerland, Italy, Denmark, Sweden, or Norway; but are required by the government of Greece, Russia, Turkey, Portugal, and Egypt. It is, however, generally advisable for a British traveller to have a passport, as an evidence of identity and nationality.

In Military and Naval Matters, passports are safe-conducts granted by commanding officers to ensure safety to the holders when passing from place to place, and may be granted for goods as well as for individuals. The word in this sense is used by old English writers; for instance, Shakespeare makes Henry the Fifth say, in the famous speech before the battle of Agincourt—

"He which hath no stomach to this fight
Let him depart, his passport shall be made."

PASTORAL LETTER, pas'-to-ral.—A circular letter, addressed by a bishop to his diocesans, for their religious instruction or guidance in matters of ecclesiastical discipline.

Pastoral Staff.—The crosier, or a bishop's staff, which in his public ministrations he is directed to have in his hand, or else borne or held by his chaplain. (See CROSIER.)

Pastoral Theology is that department of theology which has to do with the practical duties of a clergyman as the teacher and spiritual guide of his people.

PASTURAGE, pas'-tu-raj.—One of the rights of common, by which, under certain conditions, a person who is not the owner of a certain portion of land, can put his sheep or cattle to feed on it.

PATALA, pat'-a-la.—In Hindoo mythology, the name of those inferior regions which have seven or eight divisions, each extending downwards ten thousand miles, and containing magnificent palaces, in which dwell various divinities, and groves, streams, and lakes of marvellous beauty. Jewels, wines, delicious viands, and ravishing music are among the pleasures to be enjoyed.

PATEN, pat'-in (Lat., *patina*, a dish).—The plate holding the sacramental bread in the celebration of the Lord's Supper. In the Roman Catholic Church, the paten is often richly ornamented with chasing and precious stones.

PATENT, or PATENT RIGHT, pat'-ent,

or *pai'-tent* (Lat., *patens*, lying open).—A privilege granted by the crown to the first inventor of any new contrivance in manufactures, granting him a monopoly in his invention for a certain number of years. While by the Statute of Monopolies (31 Jac. I. c. 3) the granting of such was declared to be contrary to the laws of the realm, an exception was made in favour of new inventions, which it was held that the crown might lawfully concede for a reasonable period. The statutes now regulating patents are very numerous; among them are 5 and 6, Will. IV. c. 83 (1835), and 15 and 16, Vic. c. 83 (1852). By the latter, commissioners of patents were appointed; viz., the Lord Chancellor, the Master of the Rolls, the Attorney-General for England and Ireland, the Lord Advocate for Scotland, and the Solicitors-General for England, Ireland, and Scotland. The present law allows the inventor to have a monopoly of his invention for 14 years, with a further privilege at the end of that time (provided he has not been sufficiently remunerated), for 14 years more. The principal classes of patentable inventions seem to be these:—(1) new contrivances applied to new ends; (2) new contrivances applied to old ends; (3) new combinations of old parts, whether relating to material, objects, or processes; (4) new methods of applying a well-known object. Novelty and utility are the two great features of an invention, without which a patent would be invalid. It must be a "new manufacture within this realm;" and hence its being previously known abroad is no objection to the validity of the patent. There are patent offices in London, Edinburgh, and Dublin; but the latter two are used only as places for inspecting copies of patents, specifications, and documents; all the business connected with patents being transacted in London. A provisional patent may be obtained in the first instance, and the complete patent deferred for six months. Patents are generally obtained through the medium of a class of persons known as patent agents. The fees payable to the law officers are: on leaving petition for grant of letter-patent, £5; on notice of intention to proceed with application, £5; on warrant of law officer for letters-patent, £5; on sealing, £5; on filing specifications, £5; at or before expiration of that year, £50; at or before expiration of seventeenth year, £100. An official journal, containing all patents from 1617 to the present time, and weekly abridgments of the specifications of new patents, are published. Specifications of patents may be inspected at the Patent-office, Southampton Buildings, Chancery Lane; and there is a museum of patent inventions at South Kensington. The number of applications for patents in the United Kingdom amounts to about 6,000 annually. A patent right is assignable, and a patentee may also grant deeds of license to one or more persons to manufacture the article. A patentee's remedy for infringement of his right is by civil suit, there being no criminal proceeding in such a case; and in prosecuting such suit, his rights are subjected to a searching examination; for the defence may be that no infringement has taken place, or that the patent is void, through some defect. The crown may also repeal any letter-patent, on good ground being shown, by means of a writ of *active facias*. A patent obtained in this country does not extend to the colonies, where (as also in foreign countries) an inventor should obtain patents as a protection against piracy.

PATERNOSTER, *pai'-ter-nos'-ter* (Lat., *pater*, father; *noster*, our).—1. The Lord's Prayer is thus called from its first two words in Latin; 2. The chaplet or string of beads which assists Roman Catholics to number their rehearsals of that prayer; 3. In Architecture, a sort of ornament cut in form of beads, either round or oval.

PATRIA POTESTAS, *pai'-tre-a-po'-tes'-tas*.—In the Roman civil law, the power possessed by a father over his children. This power was acquired by the birth of a child in wedlock, or by legitimation or adoption. In the early times of Rome, a father had the power of life or death over his children, could sell them into slavery, or transfer them into another family by adoption; but under the republic and the emperors, this despotic right was greatly modified and restricted. (For information respecting the rights of parents in modern times, see PARENT AND CHILD.)

PATRIARCH, *pai'-tre-ark* (Gr., *patria*, family, and *archon*, ruler).—A name originally given to heads of the first families who lived in the earliest ages of the world, as Abraham, Isaac, and Jacob, with his twelve sons, and Seth, Enoch, and others. They exercised the offices of priest and king in their respective families; and it has been supposed that the idea of hereditary power and honours was derived from the authority enjoyed by the patriarchs and their first-born after them. In Jewish history, the term is also applied to certain persons invested with considerable authority; and after the destruction of Jerusalem, the name was given to the heads of the Sanhedrim, one of whom, the Patriarch of the West, resided at Tiberias, and the other, the Patriarch of the Eastern Jews, at Babylon. According to the Jewish rabbin, the patriarchal dignity was in existence from thirty years before the birth of Christ down to the 5th century, when it was abolished. Patriarchs, in the Christian Church, are ecclesiastical dignitaries, or bishops, so called from their paternal authority in the church. The establishment of the grand patriarchates is attributed, by some, to the apostles themselves, whilst others maintain that the name patriarch was unknown at the time of the council of Nice, and that, for a long time afterwards, patriarchs and primates were confounded together as being all equally chiefs of dioceses. A great authority supposes that it was in the 4th century that those prelates, who enjoyed a certain degree of pre-eminence over the rest of the episcopal order, were distinguished by the Jewish title of patriarchs. The authority of the patriarchs—the chief of whom were those of Rome, Constantinople, Alexandria, Antioch, and Jerusalem—grew by insensible degrees, till at length we find that, about the close of the 5th century, their decrees were executed with the same regularity and respect as those of princes. It must be observed, however, that there were certain districts, both in the Eastern and in the Western empires, which were exempted from their jurisdiction. The Latin church had no patriarchs till the 6th century; and the churches of Gaul, Britain, &c., were never subject to the authority of the patriarch of Rome, whose authority only extended to the nearer provinces. The term patriarch is applied, in the present day, to the chiefs of several churches in the East, who live out of communion with the Church of Rome,

such as the four patriarchs of the Greek Church: viz., the patriarchs of Constantinople, Alexandria, Antioch, and Jerusalem. The office has been abolished in the Russo-Greek Church.

PATRIARCHAL CROSS.—A cross having the upright part crossed by two horizontal bars, the upper one shorter than the lower.

PATRICIANS, *pat-rish'-yunz* (Lat., *pater*, a father).—The title given to the member of the *gentes* of ancient Rome (see *GENS*), and their descendants. It appears certain that during the first period of Roman history, the patricians comprised the whole body of the Roman people who enjoyed the full franchise, the other inhabitants being either freedmen, slaves, or strangers. At a later period, when a distinct class of Roman citizens had grown up, named plebeians, an almost uninterrupted struggle took place between the two classes, in which the patricians exerted every means to retain their exclusive rights, but which ended in the establishment of the political equality of the two orders, and in the rise of a new kind of aristocracy, which was based partly upon wealth and partly upon the great offices of the republic. From the time of Constantine, the title of patrician ceased to be hereditary, and was merely a personal title, which conferred on the person to whom it was granted a very high rank and certain privileges; and when, during this period, we read of patrician families, it merely means that the head of such a family bore the title. If actually engaged in the service of the State, these patricians were called *patricii presentiales*; but if they held no office with the title, they were styled *patricii codicillares* or *honorarii*. All of them, however, were distinguished in their appearance and dress from ordinary persons, and generally appeared in public in carriages. When the Popes came into power, they assumed, amongst others of the imperial privileges, this right of making patricians; and the sovereigns of certain European kingdoms also imitated the ancient custom of bestowing upon certain favoured subjects the title of *patricius*.

In Church History, a sect of heretics, who disturbed the peace of the Church in the beginning of the 3rd century, and were thus named from their founder Patricius. His distinguishing tenet was, that the substance of the flesh is not the work of God, but that of the devil; on which account his adherents bore an implacable hatred to their own flesh, which sometimes carried them so far as to induce them to kill themselves.

PATRICK, ST., ORDER OF, *pat'-rik*.—An order of knighthood, established in Ireland in 1783, by King George III., and styled "Knights of the illustrious order of St. Patrick," consisting of the sovereign, a grand-master, who was to be his majesty's lieutenant-general of Ireland for the time being, and 15 knights. The number of knights was augmented to 22 by William IV. in 1833. The collar of gold consists of roses alternating with harps, and tied with knots of gold; the badge is also of gold, oval-shaped, with shamrocks and the cross of St. Patrick; and the motto is *Quis Separabit*. The ribbon is of light blue colour, and the star has silver rays; the mantle is light blue, lined with white silk.

PATRIPASSIANS, *pat-ri-pas'-si-ans*.—One of the earliest sects of anti-Trinitarians. Their leader was Praxeas, a native of Phrygia, who lived about the end of the 2nd century. They were also known as Monarchians. Their

doctrines were almost identical with those of the Sabellians. (See *SABELLIANS*.)

PATRISTIC, *pa-tris'-tik* (Gr., *pater*, a father).—Denotes of or belonging to the fathers of the Church; as patristic theology, patristic literature. (See *FATHERS*, *THE*.)

PATRONAGE, *pat'-ro-naj*.—The right of presenting a "fit person" to a benefice. This right seems to have arisen about the 5th century, when those who built and endowed churches acquired a right to present a minister to them. About the 8th century patronages became general, and the rights of presentation were bought and sold. Prior to the Reformation, joint-stock companies sometimes bought presentations from papal agents in wholesale quantities, and retailed them at great profits. In England, the greatest part of the benefices are presentative. In Scotland, the subject of patronage has led to frequent disputes, and was the great cause of the Disruption in 1843. (See *FREE CHURCH*.)

PAULIANS, or PAULIANISTS, *pawl'-e-anz*.—A sect of heretics that arose in the 3rd century, and took their name from their founder, Paul, bishop of Samosata, afterwards patriarch of Antioch. He taught that the Son and Holy Ghost exist in God in the same manner as reason and activity exist in man, and that Christ was born a mere man, but that the reason or wisdom of God descended into him. These opinions were condemned by the Council of Antioch in 269, and Paul was deposed; but they were for a time upheld by his adherents.

PAULICIANS, *pawl'-ish'-e-anz*.—A sect of heretics which arose in Armenia, but of whose origin little is known. The most probable account is that they were founded by one Constantine, about the year 660, and took their name from the high value which they set upon the writings of the apostle Paul. They rejected all external forms of religion, and maintained various heresies of doctrine. They spread with great rapidity, and were subjected to violent persecution, being charged with maintaining the doctrines of the Manicheans (which see). When the crusades opened up a path into central Europe, many of this sect found their way into Germany, Spain, Italy, and under various names tended to foster that spirit of free inquiry into the validity of the teaching of the Romish Church, which ultimately led to the Reformation.

PAWN, or PLEDGE, *pawn* (Lat., *pignus*).—A bailment of goods by a debtor to his creditor, to be kept till the debt is discharged. Things subject to pledge are ordinarily goods and chattels; but money debts, negotiable instruments, and, indeed, any other valuable thing of a personal nature, may be delivered in pledge.

PAWNBROKER, *pawn-bro'-ker*.—One who lends money on goods which he receives in pledge. The laws regarding pawnbrokers were consolidated by the Pawnbrokers Act, 1872. They are obliged to take out an annual license, for which they pay £7 ros., and they must also keep books in which all articles taken in pledge are entered and described, with the sum advanced upon them, and the name and address of the pledger. Where the sum advanced on a pledge does not exceed 40s., the charge of interest is 3d. per month for every 2s., or fraction thereof, lent; where the sum advanced is over 40s., the charge of interest is 3d. per month for every 2s. 6d., or

fraction thereof. Thus, the interest on £1 is 5d. per month, but on £3, 1s. per month. After the first month, any time over 14 days to be charged as a half month. The right of redeeming a pawn remains with the rightful owner for 12 months and seven days from date of ticket; and if not redeemed within this time, the pawnbroker may sell or appropriate the pawn according to certain circumstances. The pawnbroker is bound to give to the pledger a ticket setting forth clearly the description of property pawned and the address of the broker—in fact, a duplicate of the entry in the book—and to charge for the ticket not more than 1d. if under 10s., and not more than 1d. if the amount is 10s. or over. If the ticket be lost or stolen, the pawnbroker is bound to give another, on affidavit being made before a magistrate by the person claiming to be owner of the articles respecting the circumstances. The owner has a perfect right to sell the ticket, and the pawnbroker is obliged to deliver up the goods to the holder of the ticket on receiving the principal and interest due thereon.

PAX.—The Kiss of Peace, also called the *Pacificale* and *Oculatorium*. Pax is also applied to the sacred vessel containing relics, or the crucifix or tablet employed in some of the services of the Catholic Church in the ceremony of giving the "kiss of peace" during the mass.

PAYMASTER-GENERAL.—A member of the British Ministry, but not a member of the Cabinet. His duties consist in superintending the payment of all moneys voted by Parliament. He is assisted by an Assistant Paymaster-General, and by a Deputy Paymaster-General for Ireland, with a staff of clerks. The offices are in Whitehall, London, and at the Castle, Dublin. The cost of the department is over £26,000 per annum. The Paymaster-General is always a peer, or a member of the House of Commons, and goes out of office with the ministry. In 1836, the Army and Navy pay departments were consolidated into the Paymaster-General's office.

In the Army and Navy.—*Paymaster, Military*, is an officer, whose duty it is to pay officers and soldiers, and account for the moneys to the commanding officer of the regiment, and to the War Office, from whence he receives his orders. His pay commences at 12s. 6d. per day with the rank of captain, and rises to the rank of major, with a pay of £1 2s. 6d. per day. *Paymaster, Naval*, a commissioned officer who pays the men on board ship, and looks after the stores. They receive from 12s. per day, and rank with lieutenants, captains, &c., according to term of service. *Paymaster-Sergeant*, a non-commissioned military officer who acts as clerk to the Paymaster. His rank is that of staff-sergeant, and he receives from 1s. 11d. to 3s. 6d. per day, according to his regiment and term of service.

PEACE, *pace* (Lat., *pax*).—A quiet behaviour towards the Sovereign and all subjects; and if any man is in danger from another, and make oath before a justice to that effect, the person complained of may be bound by sureties to keep the peace. A breach of the peace is a violation of that peace and security which is guaranteed by the laws to the subjects of this empire.

Offences against the Public Peace consist in either actually breaking the public peace or constructively doing so by leading directly to a breach. Such offences may generally be described as unlawful assemblies, seditious libels and speeches, riots, affrays, challenges to fight, and forcible entry and detainer.

PEACE SOCIETY.—A society founded in England, in 1846, for the promotion of universal peace. It has held various congresses in some of the large cities of Europe.

PEACE PRESERVATION ACTS (IRELAND).—(Special Acts passed in 1870, 1876, and 1881.

PECULIAR, *pe-kw'-i-er*.—Exclusive property, such as a parish or church having jurisdiction within itself, and exempt from the control of the bishop in whose diocese it is. There are about 300 of these "Courts of Peculiar" in England and Wales. When used as an adjective, the word means anything distinctively, or appropriately, or unusually one's own.

PECULIAR PEOPLE.—A designation assumed by some persons who, without forming a sect, agree in a literal interpretation of some texts of the New Testament, and refuse to have medical assistance in illness.

PEDLARS, *ped'-lars*. (See HAWKERS.)

PEEL ADMINISTRATIONS.—Sir Robert Peel was appointed First Lord of the Treasury, on the break up of the Melbourne Administration in November 1834, but resigned in the following April. In September, 1841, he again became the head of the ministry, but having lost the support of the Conservative party by repealing the corn laws, he resigned in June, 1845.

Peelites.—The political name given to the supporters of Sir Robert Peel after his defeat by the Conservative party on the Free Trade question. Prominent among them were Mr. Gladstone, Mr. Goulburn, Sir James Graham, Lord Lincoln, Mr. Sidney Herbert, and Mr. Cardwell.

PEEP-O'-DAY BOYS.—A band of marauders who first appeared in Ireland in 1784, and committed terrible outrages.

PEERS, *peers* (Lat., *parcs*, equals; Fr., *pair*, a peer).—The word is a general term for those noblemen who belong to either of the five degrees of English nobility—duke, marquis, earl, viscount, and baron. Peers, in law, mean equals; thus it is the law that those who are tried for any crime shall be tried by their peers, or equals. Peers were so called because they were formerly regarded as the companions of the king. The right of peerage seems to have been originally territorial. Whenever such territorial possessions were alienated, the dignity passed with them as appendant. Thus the bishops still sit in the House of Lords in right of succession to certain ancient baronies annexed. (See PARLIAMENT.) Peers are now created either by writ or patent; and those who claim by prescription must suppose either a writ or patent made to their ancestors, though by length of time it is lost. Every peer, being of full age and sound mind, is entitled to take his seat in the House of Peers, and to share in its deliberations and determinations, and cannot be deprived of his dignity, or any of the privileges connected with it, except on forfeiture of the dignity by being attainted for treason or felony.

Peeresses generally become so by marrying peers; but there are some few cases in which, in failure of the male line, the peerage descends in the female, and the heiress becomes a peeress in her own right. Peeresses generally have the same privileges as peers, whether they are peeresses by birth, creation, or marriage; but if a peeress, who has only become so by marriage, marry a commoner, she loses her privileges.

PEINE FORTE ET DURE, *pain fort a dure* (Fr., the strong and hard pain).—A torture formerly applied by the English law to those prisoners who, being arraigned for felony, refused

to plead, and stood mute. From the time of Henry IV. to the middle of the 18th century, pressing to death was the legal mode of punishing offenders of this class. It was abolished by 12 Geo. III. c. 20, which enacted that any person who stands mute shall be treated as if he had confessed his guilt, and it had been proved against him.

PEISHWA, *piésh-wa*.—A high officer, ranking next but one to the sovereign, at the court of the Mahratta princes of Sattara, in India; and in some cases, the ruling spirit of the government.

PELAGIANS, *pe-lai'-je-anz*.—A sect that arose about the beginning of the 5th century. Their founder was Pelagius, a monk, a native of Britain, whose original name was Morgan. He is said to have been characterized by great earnestness of character and moral strictness of life. He was greatly scandalized by the gross sensualities and immoralities that prevailed in the church, and was of opinion that they arose from a belief in the efficacy of the sacraments and the sufficiency of faith. The remedy for all, he thought, would be a creed holding man's salvation to be dependent on his own exertions. Pelagius went to Rome and afterwards to Carthage, where he was condemned by a council as holding the following heresies:—(1) that Adam was by nature mortal, and would have died whether he had sinned or not; (2) that the consequences of Adam's sin were confined to himself, and did not affect the human race; (3) that newborn infants are in the same condition as Adam was before his fall; (4) that the law qualified man for heaven as well as the gospel, and that before Christ some men had lived without sin; so that a man may keep the commandments of God without difficulty, and preserve himself in a state of perfect innocence; and that the grace of God is given in proportion to our merits. These are the chief doctrines which are generally reckoned under the name of Pelagianism, though it is doubtful how far they were held by Pelagius himself, as he always expressed himself very cautiously. Pelagius was arraigned before two ecclesiastical councils at Jerusalem and Diospolis, in 415; but with sophistry and equivocation, he succeeded in baffling his accusers. One of his most powerful opponents was Augustine, and Pope Innocent I., in 417, was induced to anathematize the rising heresy. His successor, Zosimus, also condemned the obnoxious doctrines, and the emperor promulgated decrees of confiscation and banishment against them. Pelagius retired into exile, where he died. His followers never formed a sect properly so called; but Pelagianism, as a theological system, has never been without its advocates. (See ORIGINAL SIN.)

PELHAM ADMINISTRATION.—In August, 1743, Mr. Henry Pelham succeeded the Earl of Wilmington as head of the ministry, which was reconstructed in November, 1744, and formed by a coalition of the parties, and consequently was popularly named, "The Broad-Bottom Administration." It was dissolved by the death of Mr. Pelham in March, 1754.

PELLS, CLERK OF THE (Lat., *pellis*, skin).—An official once belonging to the Court of Exchequer, whose duty it was to enter certain receipts and payments on parchments or skins (hence the name). The office was abolished in

1834, and the duties intrusted to the Comptroller-General.

PENAL LAWS, *pe-nal* (from Gr., *poine*, pain, punishment).—Those laws which prohibit an act, and impose a penalty for the commission of it. They are of three kinds—*pæna pecuniaria*, *pæna corporalis*, and *pæna exilis*. Penal statutes are made on various occasions, to punish and deter offenders.

PENAL SERVITUDE.—A mode of punishment introduced in place of transportation. A strong feeling having manifested itself against the reception of convicts in the colonies, the system of convict punishment was revised, with the view of reducing the number of those transported; and the statute, 10 and 11 Vic. c. 67, was passed, permitting offenders under sentence of transportation to be removed to any prison or penitentiary in Great Britain, to undergo a system of penal discipline before being sent out of the country. This, however, though it may have improved, did not tend to diminish the number of convicts; and the statute, 16 and 17 Viet. c. 99, was passed, abolishing the punishment of transportation for less than fourteen years, and substituting penal servitude at home for much shorter periods, giving the courts power in all cases to substitute penal servitude for transportation. Finally, by 20 and 21 Viet. c. 3, the sentence of transportation was entirely abolished, and penal servitude substituted. Penal servitude may be carried into effect either at home or abroad, and may at any time be converted into transportation. It varies from periods of three years up to for life. The Secretary of State is empowered to grant "tickets of leave," upon such conditions as may be thought fit, remitting a portion of the sentence, to such as may be considered to have been well-behaved, such tickets being revocable at pleasure.

PENALTY, *pen'-al-ty* (from Lat.).—The punishment due for an offence. Penalties imposed by statute are strictly regulated by statute. This term is also applied to the sum of money which a party to a contract agrees to pay in case he violates his engagement. The legal operation of this, however, is not to create a forfeiture of the entire sum, but only so much of it as may be sufficient to cover the actual damages occasioned by the breach of contract. Where the damages actually sustained are larger than the sum named as penalty, the larger amount may be recovered as damages without regard to the penalty.

PENANCE, *pen'-ans* (Lat., *penitentie*).—An ecclesiastical punishment enjoined by the Church for the spiritual good of an offender. The principle of penance may probably be said to be founded on an instinct of our nature, the inward feeling of sorrow for sin seeking its manifestation in some outward act. The idea of penance is to be found among almost all heathen nations. Penances occupied an important place in the ancient Jewish system; and we read not only of individuals, but of whole cities or peoples fasting and performing other acts of humiliation. From the Jews, penance was introduced into the early Church; and it is important to notice that at first penance related only to such as had been excluded from the communion of the Church; and hence its immediate object was not the forgiveness of the offender by God, but his reconciliation with the Church. It was viewed merely as a sign of repentance (*penitentie*). There came to

be various kinds of penance. Public penance was that which accompanied the readmission to communion of persons who had been excluded from it for grievous offences. It was frequently very severe, and had to be accompanied with a public confession of their sins in the church. Afterwards, penance came to be applied to sins of a private nature, and was enacted in private. Penitentiary priests were likewise appointed for hearing confessions and prescribing penances. The collection of canons which appointed the time and manner of penances for different sins was called the "Penitential." Of solemn penance, which seems to have originated about the middle of the 3rd century, there were four degrees: (1) the weeper, who remained at the door of the church, clad in sackcloth and ashes, and begged the prayers of the faithful as they passed in; (2) the listeners, who were permitted to enter the vestibule, and listen to the reading of the Scriptures; (3) the prostrate, who knelt in the outer part of the church; (4) the consistent, or co-standers, who were permitted to stand with the faithful during the service, but not to receive the eucharist. About the beginning of the 8th century, penances began to be commuted for pilgrimages, works of charity, masses, and prayers. In the Roman Church, penance is one of the seven sacraments instituted for the remission of post-baptismal sins, and consists of three essential parts—contrition, confession, and absolution. In 1551, the Council of Trent decreed that every one is accursed who shall affirm that this sacrament was not instituted by Christ. In the English Church, penance, although in many cases it has fallen into disuse, and in its most degrading forms dispensed with in all, yet is still regarded as a subsisting mode of punishment, and in the serious offence of incest continues to be occasionally decreed. Formerly, a person convicted of adultery or incest was adjudged to do penance in the church or market, bare-legged and bare-headed, in a white sheet, and was required to make a public confession of his crime, and to express his contrition in a prescribed form of words. It is usual to commute the penance for a sum of money to be paid and applied to pious uses.

PENITENTIAL PSALMS. *pen'-iten'-sheek*.—A term applied to seven of the Psalms of David: viz., the 6th, 32nd, 38th, 51st, 102nd, 130th, and 143rd, these being particularly expressive of sorrow for sin. In the 12th century, Pope Innocent III. ordered that these Psalms should be recited in Lent; and in later times various Popes have granted indulgences for the recital of them. The 51st is the Psalm most frequently used both in public and private. (See MISERERE and PSALMS.) In the Church of England, the Penitential Psalms are read in the services appointed for Ash Wednesday.

PENITENTIARIES, *pen'-iten'-shi-a-ries*.—Establishments for the reception of penitent women. The term is also applied to prisons conducted on the separate system; the name in this sense having been first given in 1786 by the Quakers of Pennsylvania, when they induced the legislature of that State to substitute imprisonment on the separate system for capital and other bodily punishments. The oldest institution for the care and reformation of fallen women is the London Magdalen Hospital, opened in 1758. (See MAGDALENS.) The London Female Penitentiary was opened in the Pentonville Road in 1807; and the British Penitent Female Refuge,

at Cambridge Heath, Hackney, in 1829. The Reformatory and Refuge Union has 550 reformatory and preventive institutions affiliated to it, including schools, industrial homes, and training-ships, and there are other institutions having the same end in view.

PENITENTIARY.—In the Roman Catholic Church is the name given to an office, and the cardinal who presides over it, in which all subjects are dealt with relating to the Confessional.

PENSION, *pen'-she-un*.—An allowance made in consideration of some meritorious action, or for past services. (See CIVIL LIST.) Military and naval pensions are granted for good service, long service, for wounds, and for expert bravery in action, in connection with the decoration of the Victoria Cross. In some cases, gratuities are given in lieu of pensions. Widows of commission and warrant officers in the army and navy in many cases receive pensions as long as they remain unmarried, but may be revived in case of a second widowhood. As a qualification for the pension, the recipient must have been married twelve months at the time of the husband's death, and the latter must have been under 60 years of age (50 for warrant officers) when he married the claimant. The pension is not granted if the widow be left in wealthy circumstances. In 1882, the amount paid for pensions to widows, children, and other near relatives of officers in the army, was £143,250; £15,526 was paid in pensions for wounds. At Chelsea Hospital, the payment to 538 in-pensioners was £1,416; and the provisions, clothing, &c., cost £16,245. Out-pensioners received £1,760,350, at from 1s to 5s a day, there being 84,450 pensioners on the list. The Political Officers' Pension Act passed August 9th, 1869; the Pensions Commutation Act, June 29th, 1871; and pensions for abolished offices ceased in September, 1874.

Pension Societies.—A large number of these societies exist in connection with various trades, the members of which pay a small annual contribution, and every year there is an election of so many pensioners as the state of the funds will permit. Many of these societies are assisted by the proceeds of annual festivals, presided over by some eminent person, and the collections made on such occasions are frequently considerable.

PENSIONARY, GRAND. (See GRAND PENSIONARY.)

PENTATEUCH, *pen'-ta-teuk* (Gr., *teuchos*, book).—The name given by the Greek translators to the five books which open the Old Testament—Genesis, Exodus, Leviticus, Numbers, and Deuteronomy. (See those headings.) By Hebrew writers these books are known collectively as *Torah* (the law), and as "the law," there is frequent reference to them both in the Old and New Testaments, in which they are spoken of collectively as "the book of the law," "the book of the covenant," "the book of the law of the Lord," "the law of Moses," "the book of Moses," and "the book of the law of Moses." The division into five books is thought by many Biblical critics to be due to the Greek translators. The Jews, however, retain the division, though they only distinguish the several books by names derived from a leading word in the first verse of each, and retain the whole in a single manuscript, or volume, divided into 54 larger and 665 smaller sections. The five books of the Pentateuch form a consecutive whole. Beginning with the record of the creation, and the history of the primitive world, the work proceeds to deal more especially

with the early history of the Jewish family. It gives at length the personal history of the three great fathers of the family; describes the growth of the family into a nation in Egypt; tells us of its oppression and deliverance; of its forty years' wandering in the wilderness; of the giving of the law, with all its enactments, both civil and religious; of the construction of the tabernacle; of the numbering of the people; of the many important events which befel them before their entrance into Canaan; and concludes with Moses' last discourses and death. The period covered by the five books is about 2550 years. The Pentateuch, therefore, leads up to the conquest of Canaan, by Joshua, and the settlement of the Israelites in the Promised Land. Jewish and Christian tradition assert that Moses, acting by Divine inspiration, was the author of the five books; but no portion of the Bible has given rise to so much and such vigorous controversy. Modern critics, especially German theologians, and among English writers on the subject, Dr. Davidson, some of the writers in the famous "Essays and Reviews" (which *see*), and Bishop Colenso, have disputed the authorship and cast doubts on the authority of some of the historical incidents related. Philology, critical comparison of passages, chronology, and arithmetic, have been instruments made use of by these critics. The leading objections are that there are repetitions and contradictions, especially in connection with the story of the creation; the use of two names for the Divine Being, Jehovah and Elohim (*see* GENESIS); various inconsistencies respecting the tabernacle, the priestly vestments, the appointment of the council of seventy elders, the account of the death of Moses (which obviously could not have been written by himself), and reference to cities and other places which had no existence till after the Mosaic times, and to Kings of Israel, who certainly had no existence for nearly four hundred years after Moses disappeared from the scene. References to Moses are also made in the third person, and he is described in a manner which he was not likely himself to adopt. It is contended also that the language of the Pentateuch varies little from that of the later prophets, and that it can hardly be supposed that no perceptible differences in the idioms should have occurred in a thousand years. Modern scientific research, especially in the departments of geology and animal physiology, has ascertained facts which, it is asserted, cannot be reconciled with the Mosaic account of the creation. Colenso gave especial attention to the narrative of the increase of the children of Israel in Egypt and their departure from that land. The story, he asserts, is irreconcilable with the law of natural increase and with the geographical limits within which they were confined, and the departure of so vast a host, with their cattle and household goods, within the time stated and in the manner described in the book of Exodus, involves impossibilities. On the other side, the advocates of the essential authenticity of the Pentateuch and of the authorship by Moses suggest that he may have dictated to scribes, who adopted the third person in speaking of the lawgiver; that the remarkably correct knowledge of the Egypt and Arabia of the Mosaic times could only have been exhibited by a writer who had personal knowledge of those lands; and it is a noticeable fact that recent discoveries of Egyptian hieroglyphics and monumental inscriptions remarkably confirm some of the statements in the book of Exodus.

In the book of Deuteronomy, the writer speaks to the Israelites as one who has himself lived through the events he refers to. Nineveh is in Genesis a city of as yet little importance; while Resen, of which no trace is to be found in any other part of the Bible, is the great metropolis of Assyria of the time ("the same is a great city," Gen. x. 12). Tyre, mentioned in Joshua, is not to be met with in the Pentateuch, although it is scarcely probable that a later writer would have omitted to mention it in connection with Sidon, referred to in Gen. x. 19. The Canaanite gods and altars are often spoken of; never their temples, of which we read in Joshua, who could have seen them when Moses, who did not enter Canaan, could not have done. Why, then, it is asked, should that very ancient author, to whom must needs be traced the Pentateuch, not be Moses himself, rather than some contemporary of his? The account of the death of Moses was probably written by Joshua; and it is quite conceivable that the brief narrative, occupying only the final eight verses of the last chapter of Deuteronomy, may have been originally the beginning of the book of Joshua, which immediately follows, but transferred by later rescensionists for the sake of completing the Mosaic narrative. Indeed, the abrupt manner in which the received book of Joshua begins almost demands the eight verses which ends Deuteronomy as an introduction. As to the similarity in the construction of the language to that of the later prophets, it is said that the Pentateuch being preserved as a sacred writing, and publicly read to the people and in the schools of the prophets, it probably fixed a standard of the language, and that the few later grammatical forms which have been detected might be due to copyists. Bishop Colenso's arithmetical, chronological, and topographical objections to the narrative of the Exodus have been controverted by many writers on his own grounds; and, besides, there was an element of the miraculous in the details of the great event which overrides many objections on the score of possibility. The Samaritan version of the Pentateuch is very nearly an accurate transcript of the Jewish books, and that would seem to have involved an impossibility, considering the hostile relations of the Jews and Samaritans, if the work had not been well known as a genuine document before the division of the Jewish kingdom. It has been suggested that Hilkiah, who is said (2 Kings xxii. 8; 2 Chron. xxxiv. 14) to have found the book of the law in the temple in the days of Josiah, was the real author, a thing which appears to be quite untenable, as is stated in a previous chapter (2 Chron. xvii. 9) that in the time of Jehoshaphat, about 250 years before Josiah came to the throne of Judah, the priests and Levites "taught in Judah, and had the book of the law of the Lord with them, and went about throughout all the cities of Judah and taught the people." Another theory is, that Ezra, after his release from the Babylonian captivity, collected the traditions and fragmentary records of his nation, and was the real author of the Pentateuch as we now have it. There are many inherent objections to this supposition, in the style and absence of allusions to the events of later times; besides which, we read in the book of Ezra itself (vii. 6) that when Ezra went from Babylon to Jerusalem, he was "a ready scribe in the law of Moses, which the Lord God of Israel had given;" and there is a reference in the previous chapter to "the service of God, which is at Jerusalem, as

It is written in the book of Moses." "It is quite within the range of probability," observes a recent writer on the subject, "that when carrying into effect his commission to 'teach in Israel statutes and judgments,' Ezra collected the ancient sacred books of his people, and prepared them for use, and circulated many copies of what we understand by a corrected edition of the Holy Scriptures." It is possible, also, that he added some explanations or commentaries, which in some of the copies made were inserted as part of the text, together with some grammatical forms of more recent origin; but to suppose that Ezra produced substantially a new work, is to ignore the many previous references to the book of the law, and the greater portion of the sacerdotal ceremonies and observances in the earlier historical books. The conclusions arrived at by the writer of the article "Pentateuch" in Abbott and Conant's "Dictionary of Religious Knowledge," are certainly worthy of attentive consideration in relation to the greatly vexed question of the authorship; "Multitudes of notes, both external and internal, combine to point out Moses as the author of the Pentateuch, and to exclude the possibility of its being written by any later priest or prophet. Neither Joshua, nor Samuel, nor David, nor Solomon, would supply the conditions required. A forger, or *redacteur*, could only have produced it by devoting himself with the utmost care to the study of Egyptian customs and antiquities, and to an acquaintance with the Sinaitic peninsula, and that, too, on the spot, in the midst of these countries. Not only must he have studied this with the most deliberate purpose, but he must have brought his study to bear with consummate skill. Where, in the times of Samuel, Solomon, Hezekiah, Josiah, or Ezra, can we find such a man? And beyond this, if modern critical theories be true, we must look, not for one wise head and skillful hand that should have produced such a result, but for half a dozen, who at different times made the fabric bit by bit, who pieced their respective stories and their laws of many colours into one another, making out of shreds and patches a thing which has commanded the wonder of all ages, and every portion of which has the same archaic character, the same familiarity with the Egypt of the earlier dynasties, the same air of the desert, the same apparent impress of the great master's hand. Such a result, under the condition of Jewish history, is inconceivable as the work of any man; but it is such as the wildest fancy cannot attribute to an indefinite and widely separated succession of many men."

The Pentateuch and Modern Jewish Worship.—Every synagogue possesses a roll of the law, and certain portions are appointed to be read on Sabbath and feast-days, and on Mondays and Thursdays, in accordance with the ancient customs in cities of Palestine, when these days were the market days, and the law was read to the country people and others assembled.

PENTECOST, *pen-te-kost* (Gr. *pentekoste*, the fiftieth).—The name given to one of the three principal festivals of the Jews, on account of its being celebrated on the fiftieth day after the feast of the Passover; but originally called the "Feast of Weeks," or the "Feast of Seven Weeks." It was observed in commemoration of the law given on Mount Sinai, and was also a thanksgiving for the harvest. At this feast they presented at the temple seven lambs of that year, one calf and two rams, for a burnt-offering, two lambs for a peace-offering, and a goat for a sin-

offering. By Christians this day is observed as a festival in commemoration of the descent of the Holy Ghost upon the apostles, after our Lord's ascension, as recorded in Acts ii. (See **WHITSUNDAY**).

PENTECOSTALS.—Oblations formerly made by parishioners in England to the clergymen. A common name for these offerings was *Whitsun farthings*.

PERAMBULATION OF PARISHES.

—An ancient English custom, and used to take place in Rogation week. The design was not only to preserve a knowledge of the bounds of parish and individual property, but also to involve the Divine blessing on the fruits of the earth. (See **BOUNDARIES OF PARISHES**, and **LITANY**.)

PERCEPTION, *per-sep-shun* (Lat., *perceptio*, from *per* and *capio*, I take).—That power or faculty of the mind by which we are conscious of external objects. As commonly used, it is not without ambiguity, denoting either—(1) the perceiving faculty, (2) the perceiving act, or (3) the object perceived. The last is the most important, and in order to get rid of ambiguity, it is proposed to employ *perception* in this sense, leaving perception to signify both the faculty and the act, which it is rarely necessary to distinguish. Perception, according to Sir W. Hamilton, "is that act of consciousness whereby we apprehend in our body—(a) certain special affections whereof, as an animated organism, it is contingently susceptible; and (b) those general relations of extension, under which, as a material organism, it necessarily exists. Of these perceptions, the former, which is thus conversant about a subject-object, is sensation proper; the latter, which is thus conversant about an object-object, is perception proper." Various theories have been advanced to explain the way in which perceptions are conveyed to the mind. According to some, the nervous fibres are tubular, and filled with a subtle vapour, which conveys impressions to the brain; according to others, the nerves operate by vibrations, like musical chords; while a third class hold that impressions are conveyed by vibrations of the infinitesimally small medullary particles.

PERCEVAL ADMINISTRATION,

per-se-val.—On the dissolution of the Duke of Portland's ministry (as the result of his death), in October, 1809, Mr. Spencer Perceval was called on to form an administration, and retained office until his assassination in the lobby of the House of Commons, May 11, 1812.

PERFECTIBILITY, *per-fek-to-bil'-e-ty*.—

The capability of arriving at perfection, more particularly applied to the perfectibility of the human race. Some social reformers have entertained very high ideas of the perfectibility of mankind; but the few of them that have attempted to carry their views into practice have failed, lamentably failed. The mistake has been in supposing that the cultivation of the intellect is all that is required, forgetting that it is, at the highest, very limited in scope, and subject to many conditions in the acquisition of knowledge. Man is a compound being, and in "the perfect monster whom the world never saw," the moral nature must be in perfect harmony with the intellect. Cultivation of the intellectual powers alone, gives power for evil as for good. Milton's

conception of the Satanic power was intellect without conscience.

Perfectionity of Christians, attainable in this life, is a doctrine held by John Wesley and his followers—not a perfection of justification, but of sanctification. Wesley admitted that few attained this satisfactory condition, which, however, is fully enjoyed by some. In the Church of Rome, the Jesuits, Franciscans, and Molinists, believe that perfection is attainable in this life, a doctrine denied by the Dominicans and some others.

PERFECTIONISTS.—A name given to a small American sect, otherwise known as Bible Communists, or Free-Lovers, founded about 50 years ago by John Humphrey Noyes. The "family" system is that adopted by his followers, and there are several small establishments in the United States. For a family association of this kind, Noyes asserts that four qualifications are necessary—the reconciliation of its members with God; their salvation from sin; recognition of the brotherhood and equality of man and woman; community of labour and its fruits. Complex marriage is recognized, but, with some restrictions, polygamy being objected to as opposed to the marriage nature; but the members are not allowed to choose their partners for themselves.

PERIPATETIC PHILOSOPHY, *per-e-pa-tet-ik* (Gr., *peripatētikos*).—A term applied to the philosophy of Aristotle, either because it was his custom to teach while walking, or because the place where he taught was a walk planted with trees. (See ARISTOTELIAN PHILOSOPHY.)

PERJURY, *per'ju-re* (Lat., *per*, and *juro*, I swear).—The offence of swearing falsely to facts in a judicial proceeding. It is defined to be a crime committed when a lawful oath is administered in some judicial proceeding to a person who swears wilfully, absolutely, and falsely, in a matter material to the issue or point in question. To constitute perjury, in the strictly legal sense, it is necessary that the party be lawfully sworn to speak the truth by some court or magistrate having power to administer an oath. The perjury must also be corrupt (that is, committed *malò animò*), wilful, positive, and absolute, not upon surprise, or the like; it must also be in some point material to the question in dispute. The view taken of perjury by the law of England is not as being the violation of an oath, but as an attempt to defeat the administration of justice. Subornation of perjury is the offence of procuring another to commit perjury, and is equally punishable at law. Anciently, the punishment of either at common law was death; afterwards, banishment or cutting out the tongue; then forfeiture of goods; and now it is fine and imprisonment, with the addition of hard labour. Where a solemn declaration takes the place of an oath, it is equally perjury to declare falsely, and is subject to the like punishment.

PERPETUAL CURE.—A clergyman appointed by the lay impropiator of a benefice (in cases where the bishop does not nominate a vicar) is known as a perpetual curate. He enters on his office without induction or institution, and requires only the bishop's license. Perpetual cures are also created by the erection and endowment of a chapel subject to the principal church of a parish. The district churches which have been erected under recent Acts of Parliament are made perpetual cures, and their incumbents are corporations.

PERPETUITIES, LAW AGAINST.—

By the law of England, property cannot be tied up for a period longer than the lives of some persons already in existence and 21 years more. (See ENTAIL.) The principle applies not only to land, but to personal property.

PERSECUTIONS, THE TEN.—

Ecclesiastical writers enumerate ten great persecutions of the Christian Church. The number selected is, in an historical sense, arbitrary; but it appears to have been fixed on in accordance with the allusion to the ten horns of the beast in the Apocalypse. The persecutions enumerated are—under Nero, 64; under Domitian, 95; under Trajan, 107; under Hadrian, 125; under Marcus Aurelius, 165; under Septimius Severus, 202; under Maximinus, 235; under Decius, 249; under Valerianus, 257; and under Diocletian, 303.

PERSEVERANCE OF THE SAINTS.

—A theological doctrine held by Calvinists, with Presbyterian Congregational and Baptist Churches, but denied by the Methodists, and left practically as an open question in the articles of the Church of England. The doctrine is thus stated in the Westminster Assembly's Confession of Faith: "They whom God hath accepted in His beloved, effectually called and sanctified by His Spirit, can neither totally nor finally fall away from the state of grace, but shall certainly persevere therein to the end, and be eternally saved." According to the Calvinistic theory of regeneration, the soul is chosen by God for eternity. Its conversion and regeneration are wholly the work of the Holy Spirit; and the work, having been begun by God for His own good pleasure, will not and can not be abandoned by Him. The advocates of the doctrine admit that the "Saints" may temporarily fall away into sin, and suffer loss by their inconsistency and back-sliding, and also that those cases in which seeming Christians abandon their profession and hope altogether are explained by the declaration that the conversion in such cases was a spurious one. The true doctrine, it is claimed by those who hold it, is one of perseverance in holiness, giving no encouragement to a confidence of final salvation which is not connected with a present and ever increasing holiness.

PERSON, *per'son* (Lat., *persona*, a mask).

—In course of time, the name for a mask came to be applied to the wearer of the mask, and used to indicate an individual, or an intelligent nature having a separate existence. In this sense it is used in theology in the attempt to define the nature of the three "Persons of the Trinity." When first adopted by the early Latin Christians, this use of the word gave rise to considerable controversy. (See SABELLIANISM.)

Personal Actions.—In Law, an action brought to try the right to damages for breach of contract, or for injuries to the person or personal estate, in contradistinction to "real actions," in which the right and title to real property are concerned. (See REAL PROPERTY.)

Personal Estate, or Personality.—Property consisting of money, furniture, and stock in the funds, which, when a man dies, goes to his executor or administrator, the "reality" going to his heir-at-law.

PERTH, FIVE ARTICLES OF.—

Articles agreed to by the General Assembly of the Church of Scotland, in August 1618, by command of James VI. They enjoined kneeling at the Lord's Supper, the observance of Christmas,

Good Friday, Easter, and Pentecost (Whitsunday), and the rite of confirmation, and sanctioned the private administration of baptism and the Lord's Supper. The Presbyterians strongly objected to the Articles, which, however, were ratified by Parliament, and enforced by the Court of High Commission; an Act which undoubtedly led to the grave religious contest which subsequently produced such disastrous effects. In 1638, the General Assembly of Glasgow condemned the Articles, on the ground that the Assembly of Perth was "unfree, unlawful, and null."

PESHITO, *pe-shi'-to*.—The authorized Syriac version of the Old and the greater part of the New Testaments. Modern critics are of opinion that the claim of this version to the great antiquity put forward cannot be substantiated, and that both the Old and New Testament versions were the work of Judaic Christians of the 3rd and 4th centuries. The former is translated directly from the Hebrew, and is very faithful.

PESSIMISM, *pes'-sim-ism* (Lat., *pesimus*, bad, worthless).—A saddening philosophy, which has in the present century greatly influenced thought and literature. It is the outcome of the weak, despairing side of human nature, which can only see shadows when it might rejoice in the sunshine, which intellectually prefers darkness to light, and looks upon life as a wretched journey, to accomplish which is the doom of the soul, and at the end of which death, felt if not acknowledged to be annihilation, is to be looked forward to as a rest. Reversing the beautiful maxim which lies at the base of all moral greatness, pessimists say: "All things work together for evil," and "The sooner we are rid of them the better." This morbid tendency of the human mind has been elaborated into a philosophy by German writers, especially Arthur Schopenhauer and Hartmann; and the most poignant expressions of the mental disturbance produced by the theory is to be found in the works of Count Giacomo Leopardi, the Italian poet. The German writers just named, especially Schopenhauer, appear to have been influenced by a cynical stolidity of unbelief in the existence of anything higher than their own coarse natures, and an incapacity to feel the tender emotions, and a lack of the imagination which gives a glow of life to the intellect. Leopardi, a man possessing a highly sensitive nature, failing to realize his conceptions of the ideal, indulged in morbid fancies, and measured the possibilities of intellectual and moral life by his own disappointments and weaknesses. Pessimism is the reverse of optimism, which affirms the definite ascendancy of good, and denounces the definite ascendancy of evil. The philosophy of Schopenhauer, who has given the most complete expression to these views, has been described as "Buddhism with a frontispiece of German metaphysics, and his follower, Hartmann, has added another frontispiece of physics." A recent writer thus summarizes Schopenhauer's views: "This is the worst of all possible worlds; there is no such thing as happiness. All action has its spring in uneasiness, and is painful in itself. Pain is positive; pleasure is merely negative. Vice is that excessive measure of will which encroaches on the sphere of another will; virtue melts into mere pity for human woe. Will, the gelling of all existence, and therefore of evil, with its restless cravings, thrusts us into life, and deludes us with vain shows of virtue and

happiness to keep us there. Our great object should be to make will desist from its cruel work by denying it, each in his own person, and throwing ourselves into a state of Lama-like passivity and resignation." Suicide of volition, in short, is the consummation at which we are to aim." Actual suicide would seem to be the logical conclusion of Schopenhauer's teaching; but he forbids it, because it is not a negation, but an affirmation, of will. Love is mere sentimentality, stimulated by will for its cravings for the realization of itself in the offspring of marriage. Perfection is monastic chastity, by which the race would be quickly brought to an end.

PETER-PENCE, *pe'-ter-pense*.—Originally a voluntary offering by the faithful to the See of Rome; but it came afterwards to be levied as a tax. It was at the rate of a penny on each house or family. It was paid in England before the conquest, was discontinued by Edward III., but subsequently revived, and finally ceased in the reign of Henry VIII. A contribution of a similar kind is now made in most Catholic countries.

PETITIO PRINCIPII, *pe'-ti-to prin-sip'-i-zi* (Lat., a begging of the principle or question).—In Logic, a term applied to the false reasoning in which the proposition to be proved is taken for granted in the first member of the syllogism.

PETITION, *pe-tish'-un* (Lat., *peto*, I ask).—In a general sense, a formal request preferred by one person to another. In this country, every subject has the right of petitioning the Sovereign, or either House of Parliament, for the redress of grievances. By 13 Car. II. st. 1, c. 5, it is declared that no such petition shall be signed by above twenty persons, unless the matter be approved of by three justices of the peace, &c.; nor shall any petition be presented by more than ten persons at a time. This statute is held not to be affected by the Bill of Rights (1 W. & M. st. 2, c. 2), which declares that all commitments and prosecutions for petitioning are illegal; but it is being constantly infringed with impunity. In old times, petitions were generally addressed to the House of Lords; but in the reign of Henry IV. petitions were frequently sent to the House of Commons. Receivers and triers of petitions were appointed, the latter being committees of peers, prelates, and judges, who examined into the alleged wrong. At the opening of Parliament, receivers and triers are still appointed; but the functions have been transferred to Parliament itself.

Parliamentary Petitions.—In ordinary cases, a petition must be presented by a member of the House to which it is addressed; but petitions for the Corporation of London may be presented by the Lord Mayor or Sheriff, and the Lord Mayor of Dublin has also the privilege of presenting petitions from the Corporation of that city. In the House of Lords a petition may be made the subject of a debate when it is presented; and unless such takes place, no public record is kept of the matter of the petition, or of the parties by whom it is signed. The House of Commons appoints a Committee on Public Petitions, which has the power of rejecting any petition not drawn up in accordance with the rules of the House. The House will receive petitions from British subjects, or from foreigners resident in this country. It is essential that every petition shall commence, "To the Honourable the Commons of the United Kingdom in Parliament assembled.—The humble petition of [or the electors of] —, sheweth that," &c.; or, if from an individual, "The humble petition of —, sheweth that," &c. Every petition must conclude with, "Wherefore your petitioners [or

petitioner] humbly pray that your honourable House will be pleased to," &c.; "And your petitioners, as in duty bound, will ever pray." It may be on one sheet, or on two or more, affixed to each other, but not stuck together. If more than one sheet, the first must contain at least one signature. The whole of the petition must be written, and every signature must be written by one of the actual petitioners described at the commencement. A chairman of a meeting cannot sign for the meeting, but a corporation can effectually sign and seal a petition officially. Anything disrespectful or intemperate in the petition, or reference to debates or judicial proceedings, will suffice to prevent its presentation. Every petition should be presented by a member at a usual time; but it may be sent to the Speaker or to any member post free.

In Law, a petition is an application in writing, addressed to the Lord Chancellor, narrating certain facts, and praying for the order and direction of the court. Petitions are either *cause* or *ex parte*—the former when regarding a matter which is already the subject of a suit; the latter, when there is no suit existing about the matter of the petition. Some cause petitions, again, are petitions of course; others are what are called special petitions.

PETITION OF RIGHTS. (*See BILL OF RIGHTS.*)

PETTY BAG OFFICE.—One of the branches of the Chancery Division of the Supreme Court of Judicature. The clerk of the petty bag is appointed by the Master of the Rolls, and the business of the office includes the issue of writs, of summons to Parliament, *Conges d'élire* for bishops, and other important writs. The Treasury has, by the Great Seal Offices Act, 1874, power, with the consent of the Lord Chancellor and Master of the Rolls, to abolish this office; but it still exists.

PETTY OFFICERS.—A superior class of seamen in the Royal Navy, responsible for the care of various portions of the ship, and holding a position somewhat similar to that of non-commissioned officers in the Army. They are appointed by the captain of the ship, and are divided into three classes.

PETTY SESSIONS.—The court constituted by two or more justices of the peace, when sitting in the administration of their ordinary jurisdiction. (*See SESSIONS.*)

PEW.—An enclosed seat in a church or chapel. Originally open seats, they became, after the Reformation in this country, enclosures, with tall partitions, so that the occupants were almost hidden from the other attendants at the church. In many old country churches, the squire's pew is really a small room, with door, curtains, cushions, and sometimes even a fireplace. Pews of the enclosed style may be seen in many of the older parochial churches; but in more modern edifices, the partitions are lower and there are no doors. By common law, every parishioner, has a right to a seat in the parish church; but it is obviously impossible that in large parishes the claim can be enforced. The churchwardens, acting as officers under the bishop, have the duty imposed on them of "seating the parishioners according to their degree." The bishop has the power, by faculty, to assign seats to the holders of property in the parish, and that right descends with the property. The practice of letting pews, except under the provisions of the Church-building Acts, or local Acts of Parliament, has been declared illegal. In many new churches the pews are not let, but are open to all worshippers, the offertory after each service supplying the funds obtained in other churches from pew rents. In

Dissenting chapels, the pews are let at fixed rents to defray expenses. In Scotland, pews in the parish churches are assigned by the heritors to the parishioners; but when not so assigned, they are legally open to all.

PHALANSTERIANISM, *ful-an-ster-an-ism* (Gr., *phalanx*, phalanx; *stercos*, form).—One form of communism, or socialism; the system of living in communities, called phalansteries. (*See FOURIERISM.*)

PHARAOH, *fa'-ra-o*.—A general title for the kings of Egypt. The use of the title in the Hebrew Scriptures, without any indication of the particular ruler meant, except in the case of Pharaoh-Necho and Pharaoh-Hophra, has caused great difficulty to historians and critics.

PHARISEES, *far'-i-seez* (Heb., *perushim*, separated).—A party amongst the ancient Jews, so called because separated from the rest by the austerity of their life, and by their professing a greater degree of holiness and a more religious observation of the law. It is common to speak of the Pharisees as a Jewish sect, but in fact they constituted the "orthodox" party in Judaism, and included the great body of the better educated classes. They believed that the only rule of political and social life was conformity to the standard of the Divine law. When they first arose has been the subject of much dispute, some placing their origin about the time of Esdras, because it was then that the Jews first began to have interpreters of their traditions; whilst others place it at a period shortly before the time of Christ, and others, again, referring it to the time of the Maccabees. At first the Pharisees were the priests of Judaism, the reformers of the second century, before the appearance of the Saviour, and suffered much persecution, which they bore with undaunted courage and unflinching faith; but in course of time their creed and practice became formal and intolerant, resting on tradition and observances, which drew upon them the stern reproof of Christ. (*See CHANIDIM.*) Their doctrines may be thus briefly summed up: They believed that all things were done by destiny—i.e., with God's foreknowledge, and in consequence of his immutable decree, the will of man still remaining free and unaffected. They owned the immortality of the soul, a resurrection, and a future state; and also held the doctrine of angels and separate human spirits. Some have supposed that they believed in a kind of metempsychosis, or transmigration of souls. The Talmud enumerates seven classes of Pharisees.

PHARMACEUTICAL SOCIETY OF GREAT BRITAIN, *far-ma-su'-bi-kal* (Gr., *pharmaceutikos*).—A society founded in the year 1841 by private enterprise. It received a royal charter of incorporation in 1843 and in 1852 by the passing of the Pharmacy Act. This charter was confirmed; and, moreover, it was provided by the Act that those persons who should pass its examinations should be registered, and have the exclusive right to assume the title of "Pharmaceutical Chemist." By the Juries Act of 1862, these registered Pharmaceutical chemists were exempted from serving upon juries in courts of justice. In 1868 an Act was passed which, after providing for the vested interests of persons already in business, restricted the legal use of the title of "chemist and druggist," or any equivalent

title, to persons who have passed a scholastic "preliminary" examination and a technical "minor" examination, and it intrusted the duty of conducting these examinations on behalf of the public, and the keeping of a register of qualified persons, to the Council of the Pharmaceutical Society. The Act also limited the legal right of dealing in certain scheduled poisons, under restrictions as to labelling and recording the sales to registered chemists and druggists, and vested in the Council powers to facilitate the enforcement of these provisions, as well as the initiative in making additions to the list of "poisons." It further provided for the admission of persons passing the "minor," or legal qualifying examination into the Society as associates, and constituted a new class of "chemists and druggists members," persons already in business, the title of "pharmaceutical chemist members" being allowed to persons passing voluntarily a "major" examination. An amended Act was passed in 1869. The board of examiners meet bi-monthly, and are required by the Pharmacy Act to examine, without reference to where previously trained or educated, "all candidates who may present themselves for examination, in their knowledge of the Latin language, in botany, in materia medica, in pharmaceutical and general chemistry, and to grant certificates of competency." Meetings for the discussion of subjects connected with pharmacy are frequently held by the society, and are reported in the *Pharmaceutical Journal*, the weekly organ of the body. The Pharmaceutical Society consists of three grades—members, associates, and apprentices; and at the end of 1882, the members and associates together numbered 4592, or rather more than one-third of the total number of registered chemists and druggists in Great Britain.

Pharmaceutical Society of Ireland was instituted in 1875, by an Act passed in that year. It has only one class of members, these numbering 81, at the end of 1882. Duties and powers similar to those intrusted to the corresponding British Society are vested in it.

PHENOMENON, *fen-om'-e-non* (Gr., *hainomai*, I appear).—A term generally applied to some sensible appearance, more particularly those of nature, the causes of which are not immediately obvious, as the phenomena of light, of electricity, &c. In mental philosophy, it is applied to the various and changing states of mind. In the philosophy of Kant, it is an object such as we represent it to ourselves or conceive of it, in opposition to *noumenon*, or a thing as it is in itself. (See PERCEPTION.)

PHILANTHROPY, *fil-an'-thro-pe* (Gr., *phileo*, I love; *anthropos*, a man).—A general feeling of love towards the whole human race. In 1774, an institution, named the Philanthropin, was founded at Dessau, in Prussia, by T. G. Baedow, for the purpose of putting into practice a theory of education founded partly in the writings of Rousseau. Similar institutions were afterwards founded, and one in Gotha, established in 1781, still remains.

Philanthropic Society.—A society for the reformation of criminal boys, established in 1783, and incorporated in 1806. It has a farm-school at Redhill, Surrey.

PHILEMON, EPISTLE TO, *fi-le'-mon*.—The title of one of the books of the New Testament, written by the Apostle Paul to Philemon, evidently a wealthy person of some note as well as worth, and, in all probability, a converted Gentile. As to the authenticity of this book, we have no stronger external testimony in favour of any other

portion of Sacred Writ. The occasion of the epistle was the sending back to Philemon his runaway slave Onesimus, who, through the instrumentality of the apostle, had been converted to Christianity. Philemon is entreated to receive him back, not only without severity, but with the feeling due from one Christian to another. The apostle then delicately refers to the matter of compensation for any loss which Philemon might have sustained through Onesimus, and pledges himself to make good that loss, though, as he says, he might justly hold him debtor for a much larger amount, seeing that he owed to him his own self. The epistle concludes with some additional expressions of friendly solicitude. The style of this epistle has been universally admired as a model of graceful, delicate, and manly writing. Luther says of it: "This epistle showeth a right, noble, lovely example of Christian love." The epistle is comprised in one chapter.

PHILIPPIANS, EPISTLE TO THE, *fil-ip'-e-anz*.—The name of one of the books of the New Testament, written by the Apostle Paul to the Philippians. Christianity was first planted at Philippi by the Apostle Paul in 50 A.D.; and of all the churches planted by him, this one seems to have cherished the most tender concern for him, and to have frequently ministered to his necessities. When they heard of his confinement at Rome, they sent Epaphroditus to him with money, and this epistle was written to the church on the return of Epaphroditus, probably about the year 63 A.D., and during the imprisonment of the apostle at Rome. The scope of the epistle is to confirm the Philippians in the faith; to encourage them to walk in a manner becoming the gospel of Christ; to caution them against the intrusion of Judaizing teachers, and to testify his gratitude for their Christian bounty. This epistle is written throughout in a very animated and elevated style, and is full of the most sublime thoughts and the most affectionate exhortations. It is remarked that this is the only one of St. Paul's epistles to the churches in which no censure is expressed or implied against any of its members. The genuineness of this epistle was never questioned till modern times, and then only on the most trivial grounds by some German critics of the Tübingen School, who regard it as a Gnostic composition of the second century; but this theory is generally repudiated by all other writers on the subject.

PHILIPPINS, *fil-ip'-ins*.—A Russian sect, named after their founder Philip Pustosviat, who, with his followers, emigrated from Russia late in the 17th century, and settled in Polish Lithuania and East Prussia. (See RASKOLNIKES.)

PHILO JUDÆUS, THEOLOGY AND PHILOSOPHY OF, *fi-lo ju-dæ'-as*.—A Jewish Greek writer of remarkable ability, born at Alexandria about the time of the birth of Christ, is the author of a religious and philosophical system, which has greatly influenced both Jews and Christians. He was a zealous champion of Judaism, and maintained that the divinity taught by the Jewish law was the basis and test of all true philosophy. He taught that God was the perfect God, and being infinite and uncreated, he cannot be compared with any created thing. He communicates with man by messengers, or angels, who have degrees of perfection; spirits are the souls of the prophets and saints of the people of Israel, others are heads and representatives of

the different nations. All these intermediate essences are comprised in the *Logos*,—who created man, and through whom man participates in the image of God. The philosophy of the Stoics is identified with the Mosiac ethics, the ideal of which is moral purity, veneration of God, righteousness of conduct, and love of man. Man is immortal, but there are degrees of happiness, the perfect man rising to enjoyment in oneness with God, while others only live through all time. There is no hell and no devil in this system. Without any distinct Messianic ideas, Philo Judeus appears to have believed in the appearance, at some future time, of an extraordinary person who would gather together the dispersed Jewish nation, to form a happy and prosperous community. Some of the works of this writer are lost; but of those which remain there have been numerous editions and translations published in France, Geneva, Germany, and England. The remarkable powers of intellect and imagination displayed by this writer, and his brilliant style, have gained for him the name of the Jewish Plato.

PHILOSOPHY, *fil-oh'-o-fee* (Gr., *philosophia*, from *phileo*, I love, and *sophia*, wisdom).—The origin of the term is attributed to Pythagoras, who, in place of calling himself *sophos*, a wise man, assumed the more modest title of a lover of wisdom. The term was commonly used to include the three great branches of knowledge: viz., physics, ethics, and dialectics, or metaphysics. In the present day, philosophy is used rather indefinitely in several senses. All philosophy is knowledge, but all knowledge is not philosophy. Knowledge is of two kinds—(1) the knowledge of a thing is called historical or empirical knowledge—the knowledge of the fact; and (2) the knowledge why or how a thing is called philosophical, scientific, rational knowledge.—the knowledge of the cause. Philosophical knowledge, then, in its widest sense, is the knowledge of effects as dependent on their causes; and hence all sciences occupied in the research of causes, may be viewed as so many branches of philosophy. In a more limited sense, the term philosophy is used to denote the science of mind by way of pre-eminence, as being the highest of all knowledge. In fact, there are not a few of the special sciences that can only be considered as the science of mind, in particular aspects, or in special applications; and there are none of them that do not suppose it as their preliminary, and borrow from it their light. Thus, logic is the science of the laws of thought; ethics, the science of the laws which govern our moral nature; politics, the science of man in his social and civil relations. The fine arts have their foundation in the theory of the beautiful; and even religion, theology itself, is not independent of the same philosophy. With us, the term philosophy is used in a much greater variety of connections than among other nations. Thus we have, not only natural philosophy or physics, the philosophy of history, &c.; but also the philosophy of manufactures, of agriculture, of cookery, &c. (See METAPHYSICS, ETHICS, LOGIC, and the various special sciences taken up in different parts of this work.)

Schools of Philosophy.—The chief schools of the Greeks were the *Pythagorean*, founded about 500 B.C.; *Platonic* (the *Academy*), 328; *Peripatetic* (the *Lycæum*), 334; *Cynic*, 336; *Epicurean*, 306; *Stoic*, 290; *Middle Academy*, 273; *New Academy*, 160; *New Platonists*, 243 A.D. The modern systems are described as

Nominal, about 1092; *Rational*, or *Inductive*, 1622; *Cartesian*, 1560; *Reflexive* or *Perceptual*, 1690; *Idealistic*, 1710; *Elective*, 1710; *Common Sense*, 1750; *Transcendental*, 1770; *Scientific*, 1800; *Absolute Identity*, 1800; *Absolute Idealism*, 1820; *Utilitarian*, 1790; *Positive*, 1830; and the recent school of *Realism* and *Evolution*.

PHRENOLOGY, *fre-nol'-o-je* (Gr., *phren*, the mind, and *logos*, discourse).—A system of philosophy, which professes to find in the outward configuration of the skull an index of the faculties of the mind. The founder of this system was Dr. Gall, a German physician (1758-1828), and he was followed by two very able men, Dr. Spurzheim and the late George Combe of Edinburgh. Phrenology maintains that each faculty of the mind has a particular part of the brain for its organ; and that, *ceteris paribus* (other things being equal), the strength or power of each faculty depends upon the size of the part of the brain appropriated to it. It is also held that the brain is double, each organ existing in both hemispheres of the brain. In judging of the organs of various individuals, there are other elements besides size to be taken into account, as, for instance, the temperament of the individual, general health, education, &c. With a nervous or sanguineous temperament, the mind will act much more vigorously than with a lymphatic or bilious one; in vigorous health the brain, like the other physical organs, is in general more active and capable of greater exertion; while an educated or exercised brain acts more vigorously than one that has been little cultivated. Phrenology also asserts the principle that the exercise of an organ improves the nature of the organ, and also increases it in size. (See BRAIN.) The rules laid down by phrenologists by which to determine what mental powers are to be considered as primitive or original, and to have separate organs for their manifestation, are the following:—(1) That it exists in one kind of animal and not in another; (2) that it varies in the different sexes of the same species; (3) that it is not proportionate to the other faculties of the same individual; (4) that it does not manifest itself simultaneously with the other faculties—i.e., that it appears or disappears earlier or later than they; (5) that it may act or repose singly; (6) that it is individually propagated in a distinct manner from parents to children; and (7) that it may singly preserve its proper state of health, or be affected by disease. In accordance with these rules, Gall enumerated nearly thirty primitive mental faculties, which have since been augmented by his successors to thirty-five. These faculties are divided into three classes—the intellectual or perceptive, the sentiments or emotions, and the animal propensities. To the first of these is assigned the anterior portion of the head; the second occupies the middle and upper; while the posterior region and the cerebellum are assigned to the third and lowest division. When first made public, the doctrines of phrenology attracted much attention, and were supported by many writers of great ability; but the defective mental philosophy and the physiological objections destroyed its claim to be called a science, and it has now fallen into the hands of lecturers and so-called "professors."

PHYSICIAN, *fiz-zish-ian* (Gr., *phusikos*, from *phusis*, nature. In 1422, the universities proposed that Parliament should enact that no one should practise medicine unless he had studied at one of the universities, and was

at least a Bachelor of Physic; but it is doubtful whether it ever became law. In the third year of Henry VII. (1511), an act was passed "for the appointing of physicians and surgeons," in which it was enacted that "no person within the city of London, nor within seven miles of the same, shall take upon him to exercise or occupy, as a physician, except he be first examined, approved, and admitted by the bishop of London or by the dean of St. Paul's for the time being, calling to him or them four doctors of physic;" or beyond these limits without license from the bishop of the diocese, or his vicar-general, similarly assisted. It further provided that neither this act nor anything therein contained be prejudicial to the universities of Oxford and Cambridge, or either of them, or to any privileges granted to them. In 1522 another act was passed, by which the examination of physicians was taken from the persons appointed for that purpose by the former statute and reposed in the newly-constituted College of Physicians (*see* PHYSICIANS, COLLEGE OF), and since that time the legislature has seldom interfered on the subject. The universities of Oxford, Cambridge, Dublin, Edinburgh, &c., possess the right of conferring degrees in medicine; and by 17 & 18 Vict. c. 114, bachelors and doctors of medicine of the University of London can, by virtue of their degree, without any further examination or license, practise physic as fully in all respects as may be done by any bachelor or doctor of medicine of either of the universities of Oxford or Cambridge; provided, however, that the privileges thereby conferred shall not be construed so as to extend to the practice of surgery, pharmacy, or midwifery. In 1858, a new medical act was passed for consolidating the various medical corporations of the United Kingdom, and enabling persons requiring medical aid to distinguish qualified from unqualified practitioners.

PHYSICIANS, ROYAL COLLEGE OF.—In the tenth year of Henry VIII., a royal charter was granted for erecting a corporation of physicians in London, which was confirmed by 14 & 15 Henry VIII. c. 5. In virtue of such act and charter, a perpetual college of physicians was established, with a constitution of eight elects, to be renewed as need should require, of whom one was to be annually elected president. Subsequent charters and acts of parliament extended and confirmed the privileges of this body. The constituted officers of the college are the eight elects, one of whom is president, and the four censors or governors. The duties of the elects are very slight, being chiefly confined to filling up vacancies in their own number and electing one of themselves to be president. The examiners for membership are the president and censors. The government of the corporation is vested in the president and fellows only, and the members of the college are alone eligible to the fellowship. The examination for membership takes place four times a year. All persons who have been admitted as licentiates, or extra-licentiates of the college, are entitled to be admitted members of the college, provided they have obeyed the bye-laws, and do accept such membership according to the bye-laws. Every candidate for membership is required to be at least twenty-five years of age, to have been engaged during five years in the study of medicine at some recognized college or school, and to produce satisfactory evidence of having studied the

necessary branches. He is required to give fourteen days' notice to the registrar of his intention to present himself for examination, accompanied with the certificates and testimonials required by the bye-laws. No candidate can be admitted to examination who is engaged in trade, or dispenses medicine, or is under engagement with any chemist for the supply of medicine, &c., nor who uses for the sake of gain any remedy which he keeps secret. The examinations are both *visâ voce* and written. Every candidate approved by the censors' board is proposed at the next general meeting of fellows, and admitted by voice of the majority, the voting being by ballot. The fee for membership is £31 10s. Members have the use of the library and museum, subject to certain regulations, and are admitted to all the lectures. Every candidate for the college license is required to be of twenty-one years of age, of moral character, and produce certificates of having studied medicine for four years at some recognized medical school, and to have passed a preliminary examination in general education. The examination extends over the various branches of a medical education, and the fee for license is £15 15s. There is also a class of extra-licentiates, who are examined by the college, and entitled to practise throughout England and Wales. About the middle of the 17th century, Dr. W. Harvey was a great benefactor to the institution. He built a library and public hall which he granted for ever to the college, with his books and instruments. The college was afterwards held in a building in Warwick Lane, near St. Paul's Cathedral, where it continued till 1825, when the present building in Trafalgar Square was erected by Sir R. Smirke.

Royal College of Physicians, Edinburgh, was founded in 1681.

College of Physicians, Dublin, founded November, 1667, and reincorporated, 1692.

PIARISTS, *pe'-a-ri-ists*.—A religious congregation for the education of the poor, known also as *Scopolini*, or "Brethren of the Pious Schools," founded at Rome in 1599 by Joseph of Calasanza, a Spanish priest. The school established by him increased in importance, and in 1617 Pope Paul V. approved of the society as a religious congregation. Four years afterwards Gregory XV. constituted it a religious order. After the suppression in some parts of the Continent of the Society of the Jesuits, many of its members united themselves with the Piarists. There are communities carrying on the work of the order in Spain, Italy, Austria, Hungary, and Poland.

PICARDS. (*See* ADAMITES.)

PIEPOWDER COURT, *pie-pow'-der* (Fr., *piepoudreux*, dusty foot).—A court formerly held in fairs and markets to administer justice in an off-hand fashion to buyers and sellers, and all comers, the persons dealt with being mostly pedlars and wandering vagabonds. By a statute (17 Edw. IV.) passed in 1477, the court had jurisdiction in the precincts of the market to which it might belong.

PIETISTS, *pi'-e-tists* (Lat., *pietas*, piety).—The name given to a sect of the Lutheran Church in Germany, established at Leipsic about 1689 by James Spener, a professor of theology. They did not separate themselves from the Church, but instituted meetings, and preached against the coldness and formality that were then prevalent. After a time, the movement subsided; but the

term Pietist is still used, in Germany contemptuously, in something the same way as Methodist is by some persons used here.

PILGRIMAGE, *pil'-grim-aj* (Lat., *peregrinus*, a stranger).—A journey taken for the purpose of visiting holy places, or places hallowed by religious associations. The custom of making pilgrimages appears to have originated very early, probably about the 3rd or early in the 4th century. Helena, Constantine's mother, we are told, proceeded on a pilgrimage to Jerusalem, and built the church of the Holy Sepulchre; and towards the end of the 4th century the practice became common. In course of time it greatly increased, and other places besides Palestine became objects of pilgrimage: as Rome, Loretto in Italy, and Compostella in Spain. From the custom of celebrating festivals in honour of martyrs at their graves, many of these became noted places of pilgrimage. The pilgrim's garb was a gray or brown gown and a broad-brimmed hat, with a long staff, round at one end and pointed at the other, and his pouch was a hollowed gourd. The notoriously disorderly and immoral conduct of the pilgrims frequently called forth the animadversions of the Church. The difficulties that presented themselves to pilgrims to the Holy Land, after it had come into the hands of the Saracens, and the cupidity of the rulers, led to the Crusades. In 1004, 7,000 pilgrims accompanied Siegfried, archbishop of Mentz, and other German and French bishops, on a pilgrimage to the Holy Land, and of these only 5,000 returned. In England, previous to the Reformation, pilgrimages to the shrines of popular saints were regularly made, and rich presents offered. Pilgrimages have long been encouraged and recommended by the Roman Catholic Church, and have frequently been enjoined by way of penances. Since the jubilee was instituted in 1300, Rome on such occasions has been much frequented by pilgrims. In recent times, pilgrimages have been made to Lourdes, La Salette, Pontigny and Paray la Moniale, in France, where Roman Catholics believe the Virgin Mary has appeared within the last few years. With the Mohammedans, also, pilgrimages are an important religious service; and it is enjoined in the Koran, on every good Mussulman who possibly can, to make at least one pilgrimage to the tomb of the Prophet at Mecca. There are other holy places, particularly in Persia, which annually attract immense crowds of pilgrims. The Hindoos have, likewise, their places of pilgrimage, the most celebrated of which is that of Juggernaut; the statue of the idol being, at certain periods, brought out mounted on an enormous car, and dragged along amidst crowds of pilgrims, who resort thither on such occasions from all parts of Hindostan.

PILGRIMAGE OF GRACE.—A name assumed by religious insurgents in the north of England who opposed the dissolution of the monasteries. It began in Lincolnshire in September, 1536, and was partially suppressed a month afterwards, but soon revived in Yorkshire, Robert Aske being the leader. His followers carried banners on which were depicted the five wounds of Christ, and they demanded the suppression of heresy and the restitution of the property of the Church. They were joined by Lords Latimer, Darcey and Scroop, and the archbishop of York; and 40,000 men from York-

shire, Durham, Lancashire and other northern counties. They took Hull and York and some smaller towns; but the Duke of Norfolk, who was sent to suppress the revolt, prevailed on them to disperse. Early in the next year (1537) they again took arms, but were promptly suppressed, and the leaders (including several abbots) and many others were executed.

PILLAR SAINTS. (See ANCHORITES.)

PILOTS, LAWS RELATING TO.—

The rules and regulations affecting pilots are numerous and complicated, so that we cannot enter upon them here; but they are contained in the Merchant Shipping Act, 17 and 18 Vic. c. 104. Pilots require to be found properly qualified and licensed. After a pilot is taken on board, if the master is by law obliged to do so, the master has no longer any command of the vessel till she is safe in harbour, and the owners are not responsible for any loss or damage that may arise from her mismanagement, unless it appear to have arisen from the neglect or misconduct of the master or crew in obeying the orders of the pilot. There are, however, cases in which it is lawful, and even necessary, for the master to interfere with or supersede a pilot; in which cases, of course, the responsibility of the pilot ceases. But if it be optional for the master to take on board a pilot, and he do so, the pilot is regarded as the servant of the owners, who are responsible for his conduct. If a pilot shall negligently lose a ship under his care and be convicted, he shall be forever incapacitated from acting as a pilot. The rates payable for pilotage are fixed by Act of Parliament. Pilots are associated in guilds. (See TRINITY HOUSE.)

PIRACY, *pi'-ra-se* (Lat., *pirata*, Gr., *peirates*).—Acts of robbery and depredation upon the high seas: an offence against the law of nations. By the common law of England, the crime of piracy is not limited to the high seas, but may be committed in other places where the Admiralty has jurisdiction. There are some offences which are made piracy by statute: as by 8 Geo. I. c. 24, the trading with known pirates, or furnishing them with stores or ammunition, or fitting out any vessel for that purpose, or in anywise consulting, combining, confederating, or corresponding with them; also by 5 Geo. IV. c. 113, if any British subject shall, within the jurisdiction of the Admiralty, knowingly convey, or assist in conveying, persons as slaves, or to be dealt with as slaves, or ship them for that purpose, he shall be deemed guilty of piracy, felony, and robbery. Until lately, by the law of England, the punishment for piratical offences in general was death; but this severity has been relaxed, and now, whoever shall be convicted of any offence amounting to piracy, and made punishable with death, is liable to be sentenced to penal servitude for life, or any term not less than fifteen years; or to be imprisoned (with or without hard labour) for any term of not more than three years. The most recent legislation on the subject was in 1837. The piratical spirit was very prevalent in early times, and, indeed, it is only recently that the ascendancy of the law has been secured, and this plague rooted out of Europe. By the law of nations, every one has a right to pursue and exterminate pirates without any previous declaration of war; but it is not lawful to kill them without trial, except in battle. Those who surrender, or are taken prisoners, must be tried and dealt with according to law.

PISA, *pe'-sa*, COUNCIL OF.—A council held at Pisa, in March, 1409, for the purpose of restoring the unity of the Church, which had been interrupted by the rival claims of the competitors for the Papacy. After long deliberation, both the rival Popes were pronounced schismatical, and were deposed, Cardinal Peter Philargi, being elected, with the title Alexander V.

PISCINA, *pi'-se'-na*.—A stone basin placed in Roman Catholic Churches, in which the priest washes his hands and rinses the chalice at the celebration of the mass. The name was given by the Romans to the large basin, or pond, in the baths containing tepid water.

PITRI, *pi'-tri* (Sanskrit, father).—In the Hindoo mythology, the name is extended from the more literal meaning, deceased ancestors, to an order of divine beings, who receive the spirits of those mortals for whom the funeral rites have been duly performed.

PITT ADMINISTRATIONS.—In December, 1783, William Pitt, second son of the Earl of Chatham, not then quite twenty-five years of age, became the head of an administration, with the offices of First Lord of the Treasury and Chancellor of the Exchequer, succeeding the Coalition Administration. He resigned in 1801, formed a second administration in May, 1804, and retained office until his death; January 23rd, 1806.

PLAGUES OF EGYPT.—Visitations of great disasters (not all bodily diseases) on the Egyptians, to compel Pharaoh to accede to the demands of Moses and liberate the Israelites. They were 10 in number: (1) turning of the water of the Nile into blood; (2) bringing up of frogs from the river; (3) the appearance of innumerable lice (more probably gnats or mosquitoes); (4) flies, perhaps gad-flies; (5) murrain upon cattle; (6) boils on men and beasts; (7) hail, which destroyed men, cattle, and crops; (8) locusts; (9) darkness; (10) destruction of the first-born of men and beasts. The story of the plagues is related in the Old Testament, Book, Exodus.

PLAINTIFF, *plaint'-if*.—A person who maintains a civil action against another. In Scotland, the term "pursuer" is used.

PLANETA, *pla-ne'-ta*.—The Greek name of the ecclesiastical vestment now known as Chasuble. (See CHASUBLE.)

PLANTS, LAW OF.—A tenant must not, at the termination of his tenancy, remove plants growing in the ground occupied by him, as, having become part of the soil, they belong to the landlord. It is rarely, however, that this law is enforced in the case of gardens and small holdings. The law does not apply to nursery-grounds, the plants grown in which are the stock-in-trade of the tenant, who has full power to remove them.

PLATONIC PHILOSOPHY, *pla-ton'-ik*.—That system of ancient Greek philosophy which was established by Plato. The writings of Plato are numerous, and have reached us in a state of unusual completeness and textual purity. The genuineness of many of the pieces which bear his name has been disputed, but on such slight and unsatisfactory grounds as to be entitled to little weight. Their composition ex-

tended over a large part of his life, and they are to be regarded rather as marking different stages of his philosophical development than as expositions of a perfectly matured and developed system. They are all in the form of dialogues, in nearly all of which Socrates is the chief speaker, and the exponent of the author's sentiments. Not the least remarkable feature of the writings of Plato is the form in which they are communicated. In his we find the scientific intellect combined with the dramatic imagination in a degree which has never been equalled. He is at once poet and philosopher, and spreads the charms of an exhaustless fancy over the subtlest controversies of the dialectician. "In place of a formal refutation of sophistry, we are introduced to living sophists; in the room of an elaborate system of philosophy, we meet the greatest philosophers of his day, reasoning and conversing with disciples eager in the pursuit of knowledge." They are dialogues not merely in form but in spirit, conducted with all the freedom and animation of a real conversation between intelligent and highly-gifted men. The stern dialectic processes with which the student has constantly to grapple, are relieved by picturesque representation or elaborate and gorgeous fable, characterized by a light, buoyant humour, and interspersed with irony, sarcasm, banter—now broad and now delicate; with a thousand other life-like touches interspersed, giving the whole an air of perfect truthfulness. The style, which seems so natural and easy, when closely examined is found to be elaborated with the greatest taste and fastidiousness. The leading characteristic of Plato's mind is its comprehensiveness. The ultimate unity of all knowledge, properly so called, and the mutual dependence of all its parts on each other, is the fundamental idea of his philosophy. Dialectics (the art of reasoning and disputing justly) with Plato was the science of sciences, physics and ethics being sciences only in so far as they connect themselves with dialectics. This science, above everything, deals only with the absolute and invariable. Its subject-matter consists of those transcendental spiritual essences known as ideas, mere abstractions or generalizations of the mind, having no objective reality (as some have held), and answering to the intuitions and general truths of modern science. (See IDEAS.) The soul could only have arrived at a knowledge of these in a state anterior to the present, and hence he resolved all knowledge into reminiscences of a state anterior to the present. In order to establish the doctrine of pre-existence, he distinguished between ideas drawn from the senses and those conceptions which sense could never furnish, but which exist in the mind from the very commencement of conscious existence. By thus establishing the existence of the soul before coming into the body, he establishes its independence of the body, and, in consequence, its immortality. From these ideas of the soul, it followed naturally that its residence in the body is an evil, and that the phenomena of sense interposed between the mind, and these absolute existences are constantly deceiving and alluring it from its proper element. The great business of the philosopher, therefore, is to emancipate himself as far as possible, not only from the dominion of the animal appetites, but also from the illusions of sense, and to retire into that interior world of reflection in which his mind can commune with its kindred eternal essences. The ideas, however, are not

all of equal excellence, supreme above all others being the forms of the true, the beautiful, and the good. The noblest of that triad is the last, the great end of all philosophic striving. This earth was created out of a formless chaotic mass, after the model of a perfect archetypal world existing in the mind of the Creator, and is as perfect as the untractable and essentially evil nature of matter admits. Plato, however, applied himself much less to physical investigations than to those of an ethical or dialectic character, and, indeed, only attended to them in his later years. It is difficult to say what idea Plato had of the Deity. It seems, however, that his idea of the good and Him were identical; but whether he regarded Him as a personal being, it is impossible to say. Plato distinguishes two components of the soul—the divine or rational, that which partakes of a divine principle and participates in the knowledge of the eternal; and the mortal or irrational, that which participates in the motions and changes of the body, and is perishable. The two are united by an intermediate link, which he calls *thumos*, or spirit. He believes in future retribution, exonerates God from responsibility for sin and suffering, and sets forth in elaborate myths the blessedness of the virtuous and the punishments of the vicious. In ethics the grand idea is the good in its various forms of development. He retains the fourfold division of the virtues into wisdom, courage, temperance, and justice; wisdom being the proper virtue of the reason, courage of the spirit, and temperance of the sensual part of our nature; justice being the principle that pervades and regulates the whole. True virtue always carries with it its own enjoyment, and the virtuous man always finds his highest happiness in communion with and assimilation to the good and the divine. Closely allied to ethics was politics. The State he regarded only as the individual on a larger scale—the individual as a miniature state, hence his analysis of a state is but an enlargement of his psychological analysis. The governing class represents the intellect, the soldiers on guard the spirit element, and the labourers and handicraftsmen the sensual part. The virtue of the first class is wisdom, of the second courage, and of the third temperance; while justice is the principle that ought to run through, regulate, and harmonize the whole. He makes the interest of the state supreme, and merges in it all the interests of the family and the individual. The education and the employments of the citizens are all to be regulated by the state. The governing class of a state should consist of philosophers, of men who have risen to the contemplation of the real and the true. It is a well-known expression of his, that the state can only attain its true end when either philosophers become its rulers or when its present rulers have learned so far as to unite philosophy with a superintendence of public affairs. The works of Plato were extensively studied by the Christian Fathers, in the early times of the Church, some of whom asserted that he was expressly commissioned to prepare the heathen mind for the reception of Christianity. The influence of Plato on the highest intellects of ancient and modern times has been very great, and the amount of learned labour given to the preservation of a pure text has been commensurate with the interest felt.

Platonic Love.—Plato held that the soul should cultivate a perfect and ideal love between persons of opposite sexes, unencumbered with sensual emotions,

and based on moral or intellectual affinities. The phrase has frequently been applied, but not invariably with strict appropriateness, to friendships formed between men and women, who advocate the dangerous doctrine of affinities.

PLEADINGS, *plæd-ings* (Ang.-Nor.)—In Law, are the alternate allegations by plaintiff and defendant in an action, of those matters of fact which constitute on the one hand the ground of action, and on the other the ground of defence. Pleadings always relate to matters of fact, and of fact only; for all matters of law are judicially noticed by the court. Pleadings are also required to abstain from any statement of the evidence by which the fact is to be established; the object of pleading being merely to ascertain whether the question is matter of fact or matter of law, and if the former, to develop it in a shape sufficiently precise to show its general nature and import. The defendant is entitled to receive from the plaintiff a detailed statement of the nature of his complaints, which is called the declaration. If the declaration be so framed as to prejudice or embarrass the fair trial of the action, the defendant may apply to the court to have it struck out or amended; or if he denies the sufficiency of the facts as cause of action, he may lodge a demurrer, and call upon the court to give judgment in his favour upon that state of facts. Otherwise, the defendant's course is to plead or deliver a plea, the general object of which is to make answer in point of fact to the declaration. The plea may be either dilatory or peremptory. Dilatory pleas are founded on some matter of fact not connected with the merits of the case, and are either to the jurisdiction, showing that the case is not within the jurisdiction of the court, or pleas of suspension, showing some matter of temporary incapacity to proceed with the suit; or in abatement, showing some matter for abating or quashing the declaration. The effect of a dilatory plea is, if successful, to defeat the particular action, leaving the plaintiff at liberty to commence another in a better form. Peremptory pleas, or pleas in bar, are founded on some matter tending to impeach the right of action itself, and their effect is to defeat the plaintiff's claim altogether. Pleas in bar are of various kinds. In general issues, there is a denial of the whole matter of the declaration, or at least of the principal fact upon which it is founded; as that the defendant is not guilty, not indebted, did not promise as alleged, &c. All other pleas in bar are distinguished by the name of special pleas. Pleas in bar are also distinguished according to their subject-matter; as pleas in justification or excuse, and pleas in discharge; the former tending to show that there never was any right of action, the latter that the cause of action, though once existing, has been barred by matter subsequent. In criminal cases, special pleas in bar are pleas stating some ground for not proceeding with the indictment, such as a plea of former acquittal, or of conviction, or of pardon. In Scotland a "plea of panel" means a plea of guilty or not guilty.

Special Pleadings are barristers who prepare the pleas in conformity with the peculiar, and in many cases very difficult, technical rules.

PLEBEIANS, *plæ-be-yanz* (Lat., *plebs* or *plebes*)—The plebeians were the body of commons, or commonalty, of ancient Rome, and thus constituted one of the two great elements of which the Roman nation consisted, and which gave to

the earlier periods of Roman history its peculiar character and interest. The ancient writers themselves do not agree respecting the time when the plebeians began to form a part of the Roman population; but whatever may be thought of the existence of plebeians at Rome in the earliest times, however, they first of all appear as a distinct class of Roman citizens, in contradistinction to the patricians, in the reign of Tullus Hostilius. Alba, the head of the Latin confederacy, having been in his reign taken and razed to the ground, the most distinguished of its inhabitants were transplanted to Rome and received among the patricians, whilst many of the inferior citizens were also transferred to Rome, and, combined perhaps with the subdued original inhabitants, formed the plebeians. The same system was pursued on the conquest of other Latin towns, and the order of plebeians which was thus gradually formed by the side of the patricians, far exceeded them in number. The plebeians were citizens, but were perfectly distinct from the patricians, and were excluded from the comitia, the senate, and all civil and priestly offices of the state. The only point of contact between the two estates was the army, the plebeians being obliged to fight for their fellow-citizens, without being allowed to share any of their rights and privileges, and without even the right of intermarriage. In all judicial matters they were entirely at the mercy of the patricians, and had no right of appeal against any unjust sentence. Servius Tullius put an end to this state of things, by dividing the whole body of Roman citizens, plebeians as well as patricians, into five classes, according to the amount of their property, and formed the whole body of citizens thus divided into a great national assembly called *comitatus maximus*, or *comitia centuriata*, in which the plebeians met the patricians to a certain extent on a footing of equality, although the votes were arranged in such a way that it was always in the power of the wealthiest classes to decide a question before it was put to the vote of the poorer. During the reign of the Tarquins, the plebeians lost all they had gained by the legislation of Servius Tullius; but during the republic they gradually gained some advantages. In the course of time, however, the patricians began to encroach upon the rights granted by these laws to the plebeians, and the latter, becoming convinced that it was impossible to retain what they possessed without acquiring more, entered upon a struggle with their oppressors, which resulted in their gradually gaining access to all the civil and religious offices, and in the union of the two classes into one great body of Roman citizens with equal rights.

PLEBISCITE, *plai'-bis-ait* (Lat., *plebiscitum*, "a decree of the people").—A term of modern adoption in France, applied to a decree of the nation obtained by an appeal to universal suffrage.

PLENISHING, *plen'-ish-ing*.—In the Scotch Law, heirship, movables. Occasionally, the term is applied to the furniture of a house, or the stocking of a farm.

PLOUGHATE OF LAND, *plow'-ate*.—In the Scotch law, no person is allowed to kill game who does not own a ploughgate of land (100 acres Scots, or about 125 English acres).

PLOUGH MONDAY.—The first Monday

after the Epiphany, and therefore the first Monday after the 6th of January. It received the name from its having, in old times, been fixed on as the day for returning to agricultural work after enjoying the festivities of Christmas.

PLURALISM, *plu'-ral'-izm*.—In Canon Law, the possession by the same person of two or more ecclesiastical offices, whether of dignity or of emoluments. Such possession was considered unlawful in the earliest days of the Church, and was expressly forbidden by several of the Councils. Under some circumstances, however, Pluralism is permitted, and the Pope exercised a dispensing power. In the English Church, the rule assimilated with that of the Romish Church; but Henry VIII. substituted the dispensing power of the Sovereign for that of the Pope. The present law on the subject is regulated by 13 and 14 Vict. c. 98, which provides that no incumbent of a benefice shall take and hold together that of another benefice, unless the churches are less than three miles apart, and the annual value of one of them does not exceed £100. Two benefices cannot be held by one person, if the population of one exceeds 3,000 and that of the other exceeds 500. But the archbishop has the power to issue a dispensation or licence to hold two together, and if he refuse to grant the licence, there is an appeal to the Privy Council. Provision is made by statutes in 1850 and 1856 for country benefices, where the aggregate value does not exceed £500, nor the aggregate population, 1,500.

PLYMOUTH BRETHREN.—A body of Christian believers whose popular designation is taken from Plymouth, where, about 1830, they held their first meetings; but they only claim for themselves the name of Christians. They have now congregations in nearly all the chief towns of Great Britain, among Continental Protestants, and in the United States. One of the originators was Mr. Darby, a clergyman of the Church of England, which, from conscientious motives, he afterwards quitted; and from him the brethren are sometimes known as Darbyites. Mr. Darby and many others seceded in consequence of a question being raised as to the human nature of Christ. They maintain the doctrines of original sin and predestination, the efficacy of Christ's sacrifice, and the work of the Holy Spirit, and they practise baptism of adults, and partake of the Lord's Supper; but they repudiate any church organization, or any office of the ministry, and allow the right of every male member to preach. At their meetings they await in silence for some of the congregation to be "moved by the Spirit" to speak, in that respect resembling the Friends or Quakers. As they have no organization, each congregation being practically independent of others, no trustworthy information as to their numbers can be obtained.

POACHING. (See GAME LAWS.)

PODESTA, *po'-des-ta* (Lat., *potestas*, power).—The title of a municipal magistrate in Italy. Originally it was applied to magistrates with supreme authority, viceroys in fact, appointed in the 12th century by the Emperor Frederick Barbarossa, over Milan and other conquered Italian towns.

POINDING, *poind'-ing*.—A Scotch law term implying the seizing and selling a debtor's

goods under process of law. Pounding of stray cattle is equivalent to the English pounding.

POLEMICAL, *po-lem'-i-kal*, (Gr., *polemikos*, from *polemos*, war, battle).—A term applied to works of a controversial character, particularly those in divinity; hence, polemical divinity is controversial divinity.

POLICE, *po-lee'* (Gr. *politeia*, government, from *polis*, a city).—A term now generally applied to the constabulary force, engaged in the preservation of property and the detection of crime. In that sense the term is generally understood in this country; but in some foreign states there is a police force engaged for obtaining information regarding political offences and watching persons obnoxious to the government. In Athens, and some of the other states of ancient Greece, there appears to have been something analogous to a police; and in Rome there were several classes of officials who shared the duties of the policeman, as the lictors, sub-prefects, &c. In England, as early as the time of the Saxon kings, there existed a peculiar organization of a partially voluntary character, for the suppression of crime and the maintenance of good order, the principal of each hundred and tithing being responsible for the conservation of peace within his jurisdiction. After the Normans came to be established in power, this system fell into disuse, and eventually the high sheriff of the county, his deputies, and the constables, came to be substituted for the voluntary officers of the earlier period. The Statute of Winchester, 13 Edw. I. (1285), regulated the office of constable, and directed what measures were to be taken for preventing crime and keeping the peace. (See CONSTABLE.)

Metropolitan Police.—In small towns and rural districts the system seems to have worked tolerably well; but in the metropolis it had little effect in the repression of crime. As late as 1751, Fielding, the novelist, then police-magistrate at Bow-street, stated, as matter of public notoriety, that the streets of London were not safe for citizens after nightfall; and that highway robberies, murders, and other flagrant crimes, were of common occurrence, and their perpetrators were seldom or never detected or arrested. He suggested a paid police, under orders of the acting magistrate at Bow-street, and in 1753 such a force, of very moderate extent, was established, in accordance with an act passed in that year; but such was the fear of the people lest this measure should lead to an encroachment upon their liberties, that it met with violent opposition, and was soon repealed. In 1792, an act was passed for the increase of the police courts, the employment of salaried magistrates, and the enlargement of their jurisdiction. Under this act, eight police-offices or courts were established, and the magistrates received salaries of £400 each, afterwards raised to £600. In 1800 there were only six police constables attached to each of the metropolitan offices, or 48 in all; 60 other constables, under the chief magistrate at Bow-street, patrolled the principal metropolitan roads; 41 formed the civil force of the Thames police establishment; 40 stipendiaries were employed in the city of London under the corporation; and there were, in addition, 843 parochial officers, &c., serving without pay. The nightly watch and patrol in the city of London comprised 803 men, generally old, often infirm, and the honest among them half-starved upon wages varying from eightpence halfpenny to one shilling and sixpence per night. This state of things continued, with little amelioration, till 1829, when Sir Robert Peel's "Act for improving the Police in and near the Metropolis" was passed; a measure which, more than any other of the kind, has tended to the consolidation of peace and the protection of life and property. Further improvements were introduced by 2 & 3 Vict. c. 47 (1859), which extended the metropolitan police district to a radius of

fifteen miles from Charing Cross, and gave jurisdiction over the river Thames and the quays and docks thereon. The city of London, however, was exempt from the operation of the statutes; but similar provisions were made for it by 2 & 3 Vict. c. 94, under a special commissioner, and subject to the control of the city authorities. The Metropolitan Police Force is now under the direction of one chief and two assistant commissioners; and the detective department is under the control of a director of criminal investigations. The total strength of the force is about 12,000 of all ranks, and the annual expense nearly £487,000. The force is composed of divisions, marked by letters of the alphabet, and to each division is allotted a district with the requisite number of station-hands. There are 12 metropolitan police-courts, the principal, Bow-street, having one chief and two other magistrates, and there are two magistrates to each of the other courts. The city police, maintained by the Corporation of the city of London, and under the control of a commissioner, number about 830 men of all ranks.

County and Borough Police.—Under the Municipal Corporations Act, or under local acts, a police force has been established in almost all of the cities, boroughs, and towns of England and Wales. The city or borough police is a charge upon the borough funds, aided, in a majority of instances, by a police-rate. One fourth, however, of the cost of pay and clothing is repaid from the public revenues to all cities and boroughs having a population exceeding 5,000, and to all boroughs having a less population, provided the police force be amalgamated with that of the county; such repayment, however, to be in all cases subject to the certificate by the home secretary, upon annual report from her Majesty's inspector, that the force is efficient, both as respects number and discipline. The first step towards the establishment of a county constabulary was made by 2 & 3 Vict. c. 93, and 3 and 4 Vict. c. 88, which empowered the magistrates of any county in England or Wales to appoint chief and petty constables for such counties, in such numbers and under such apportionment to the several districts as they might deem advisable. These acts were simply permissive; but by 19 & 20 Vict. c. 69, it was made compulsory on the magistrates of every county, where no police force had yet been constituted, to proceed therein forthwith. In this way the whole country has been placed under the protection of a well-devised and efficient system of police. Similar provisions were made for Scotland by 20 & 21 Vict. c. 72, entitled "An Act to render more effectual the Police in Counties and Boroughs in Scotland." The institution of county constabularies is, by this act, made compulsory on the commissioners of supply for each county; and provision is also made for the consolidation of independent bodies of police, and for the establishment of police for neighbouring districts and boroughs jointly; and for charging one-fourth of the expense of any borough or county constabulary reported to be efficient for the year, in number and discipline, on the consolidated fund.

The Irish Constabulary.—In Ireland, the police force was in a perfectly chaotic state till 1824, when an act was passed (54 Geo. III. c. 131) which led to improvements of detail by the appointment of superintending magistrates, as well as to an increase of the constabulary force. Other acts followed of a similar tendency, all of which were consolidated by 6 Will. IV. c. 13 (1836), which empowered the lord-lieutenant to appoint officers and constables in the several towns, baronies, and counties of Ireland, and in the proportions prescribed by the act. This act was amended by 11 & 12 Vict. c. 72, and again by 20 & 21 Vict. c. 17. The Irish constabulary is organized on military principles, the men being armed and occupying barracks.

POLICY AND POLITY, *pol'-e-se*, *pol'-e-te* (Gr., *polis*, a city).—Two terms which are apt to be confounded, but which are yet quite distinct. Policy is generally used to denote the line of conduct pursued by the rulers of a state upon particular questions, more especially with regard to foreign countries. Polity, on the other hand, is synonymous with principles of government.

POLIOY, in Insurance. (See **INSURANCE**.)

POLITICAL ECONOMY, *po-li-ti-c-al e-kon-o-mi* (Gr., *oikos*, a house or family, and *nomos*, a law).—Various definitions of the science have been given, some allowing it a wider, others a narrower sphere. By some, particularly by earlier writers, it is regarded as the science of government, and the organization of civil society. According to M. Say, it is "the economy of society; a science combining the results of our observations on the nature and functions of the different parts of the social body;" and M. Sismondi considers "the physical welfare of man, so far as it can be the work of government, as the object of political economy." English writers, however, particularly of recent times, regard political economy as the science of the wealth of nations, dealing with those laws which regulate the accumulation and distribution of wealth among a people. "It is," says McCulloch, "the science of the laws which regulate the production, distribution, and consumption of the products and services necessary, useful, or agreeable to man, which it requires some portion of voluntary labour to produce, procure, or preserve." This definition excludes all reference to what exists independently of man, and may be obtained in unlimited quantities without any laborious exertion. The earliest treatise on an economic subject is believed to be "The Eryxias, or about Wealth," erroneously attributed to *Æschines* Socraticus, one of the disciples of Socrates, about 427 B.O. "Plato," says M. Say, "has with tolerable fidelity (*Republic*, book ii.) sketched the effects of the separation of social employments, but solely with a view to point out man's social character, and the necessity he is in, from his multifarious wants, of uniting in extensive societies, in which each individual might be exclusively occupied with one species of production." To Aristotle, however, the honour is due of being the founder of political economy in its wider acceptation. The expression was first used by him, and is to be found in the "Economics." In his "Ethics," he treats of the regulation of the individual man; in his "Politics," of the relation of man towards others in a social capacity, both in the family and in the state; and in his "Economics," of the relation of man towards property—the three constituting, in a measure, a connected work, each being dependent on, and interwoven with, the others. But little attention was paid to economic studies for many centuries after the time of Aristotle, industrial occupations of any kind being regarded by the ancients as degrading and unworthy of free men. The earliest general treatise on this subject in modern times is the "Traité de l'Économie Politique," by Antoine de Montchrestien (4to Rouen, 1615). This work treats of the utility of the mechanical arts, and the regulation of manufactures, employment of men, the trades most important to communities, commerce, transportation, money, &c. About the same time appeared treatises on money by Antonio Serra and Gian Donato Turchetti, of Naples; and on commerce the prohibitive system by Duarte Gomez and Juan de Castellar. In England, Hobbes seems to have been one of the first who had anything like a distinct notion of the real source of wealth; for in his "Leviathan" (ch. 24), published in 1651, he says, "The nutrition of a commonwealth consisteth in the plenty and distribution of materials conducing to life." Locke,

however, had a much clearer apprehension of this doctrine; and his "Essay on Civil Government," published in 1689, is, in fact, the earliest work in which the true sources of wealth and value are distinctly pointed out. Various special treatises on trade, money, &c., had appeared before this time: as Misselden's "Circle of Commerce" (1623); Mun's "England's Treasure by Foreign Trade" (1664); Sir Josiah Child's "New Discourse on Trade" (1668); and Andrew Yarranton's "England's Improvement by Sea and Land: to outdo the Dutch without fighting, to pay Debts without Moneys, to set at Work the Poor of England with the Growth of our own Lands" (1677). A most important era in the history of political economy, as well as of industrial development, was the appointing of Colbert to the position of comptroller-general of the finances of France, by Louis XIV., in 1662. He reduced the national finances to system and order, and instituted a complete plan of checks and balances; reformed abuses in this department, and punished those that had been guilty of them; increased the revenues of the state, while, at the same time, he decreased the burdens of the people, and developed agriculture, the manufactures, arts, and sciences. In 1691, Sir Dudley North published his "Discourses on Trade." The first attempt, however, to produce a systematic treatise on political economy was made by M. Quesnay, a French philosopher, distinguished for the subtlety and originality of his understanding, and the integrity and simplicity of his character. His great work, "Tableau économique et Maximes générales du Gouvernement économique," was published at Versailles in 1758. He assumed, as the basis of his system, that the earth is the only source of wealth; and was hence led to the conclusion that agriculture is the only species of industry which contributes to the riches of a nation. Among the most distinguished of the followers of Quesnay was Turgot, afterwards comptroller-general of finances, who, in 1771, published his "Réflexions sur la Formation et la Distribution des Richesses," the ablest of the treatises of this school. The "Political Essays" of David Hume were published in 1752; and although he did not enter systematically into the science of political economy, his essays on interest, commerce, balance of trade, public credit, the populousness of ancient nations, &c., are characterized by sound, enlightened, and liberal views, and exposed many of the prevailing errors and prejudices of the time. In 1767 there was published in London, in two vols. 4to, "An Inquiry into the Principles of Political Economy, being an Essay on the Science of Domestic Economy in Free Nations," by Sir James Stewart. This was the largest and most elaborate work that had yet appeared on the subject. In 1776 appeared, in London, the first edition of the great work of Adam Smith, entitled "An Inquiry into the Nature and Causes of the Wealth of Nations;" a work which has done more to diffuse sound views on political economy and legislation than all that had preceded it. The science is for the first time treated in its full extent. He shows that labour is the real source of wealth, and that not only when employed in the cultivation of the land, but also when employed in manufactures and commerce. He also shows, in opposition to the popular opinions of his time, that wealth does not consist of gold and silver, but of the various necessities, conveniences, and en-

joyments of human life; that it is in every case sound policy to leave individuals to pursue their own interest in their own way; and that when they prosecute branches of industry advantageous to themselves, they are necessarily also prosecuting such as are advantageous to the public; all regulations intended to force industry into particular channels, or to throw restrictions in the way of commerce or manufactures, being impolitic and pernicious. Mr. Malthus's "Essay on the Principle of Population" (1798) was the next considerable contribution to the science. He maintained that an increase in the means of subsistence is the only sure criterion of a permanent and beneficial increase in the numbers of a people; that the danger in every country is an excess of numbers as compared with the means of subsistence; and that were population not kept down by moral restraint or prudence in matrimonial connections, vice, want, and misery must be the result. In 1802, M. J. B. Say published his "Traité d'Economie politique," a work which did more in the way of diffusing a knowledge of the true principles of the science on the continent and in America than perhaps any other work of the kind either before or since. The "Principles of Political Economy and Taxation," by David Ricardo, appeared in London in 1817, and is generally considered as the most able, profound, and original work on the science since the time of Smith. The doctrines for which the work is principally noted are the theory of rent and the consequent theory of value. In 1821, James Mill published his "Elements of Political Economy;" and in 1825, J. R. McCulloch his "Principles of Political Economy." Archbishop Whately published "Lectures on Political Economy," delivered at Oxford in 1831; and Nassau W. Senior's treatise on Political Economy, appeared in the *Encyclopædia Metropolitana* in 1836. One of the most distinguished political economists of our time was the late John Stuart Mill. He was a full believer in the views of Locke, Hume, and Smith, in regard to money, in those of Ricardo on rent, and of Malthus on population. Political economy, then, is the science of the wealth of nations, or the science which treats of the production, distribution, and consumption of wealth. By wealth is meant anything necessary, useful, or agreeable, and at the same time possessed of exchangeable value. Some objects, as air or light, are useful and necessary, but are incapable of being exchanged; others again, as food, fuel, &c., are necessary, and at the same time are objects of exchange. It is only to the latter that the term wealth is applied. That quality of any object which renders it capable of gratifying our desires is called its value: thus the value of air is its power to support life; of water, to slake thirst, &c. What is termed the intrinsic value of an article is measured solely by its utility to man, or its capacity to gratify human desire; extrinsic, or exchangeable value, on the other hand, is measured by its capacity to procure us something else in exchange. Things which are everywhere abundant, and require no labour to render them useful to man, have only intrinsic value; things, again, which derive their power to gratify human desires from labour, and which are only found in particular places, have always exchangeable value. That which gives exchangeable value to an article is labour, which is the only source of wealth. Wealth and value vary inversely, the one increasing as the other

diminishes, and *vice versa*. Wealth is greatest where the facility of production is greatest, and value is greatest where the difficulty of production is greatest. By production, in this science, is not meant the production of matter, but of utility by appropriating and modifying matter so as to make it satisfy our wants and contribute to our well-being. Production, then, is the act by which we give to any object its particular value. The substance to which any value has thus been imparted is called a product. There are three circumstances, the conjoint operation of which is necessary to stimulate and improve the productive powers of industry: (1) security of property; (2) the introduction of exchange or barter, and the consequent division of labour; and (3) the accumulation and employment of produce of previous labour, or, as it is more commonly termed, of capital or stock. Capital is defined to be "that portion of the accumulated produce of labour which may be directly employed to maintain productive labourers, or to facilitate production." The fitness of any article to serve as an instrument of production, or to support those engaged in industrial undertakings, is the only criterion by which to decide whether it is or is not capital. There are only three classes of individuals directly concerned in the production of commodities—labourers, capitalists, and owners of land. Between these three classes the whole produce of the land and labour of every civilized society is always in the first instance divided. That portion of the produce of the earth which is paid by the occupier to the landlord for the use of the *natural* and *inherent* powers of the soil, is denominated rent. When, in addition, money has been expended in the improvement of the soil, buildings, &c., the money paid on this, though commonly included under rent, is strictly remuneration for the use of capital. Hence, after deducting rent, the remaining produce of the land and labour of every country must primarily be divided between the two great classes of labourers and capitalists. Profits consist of that produce or its value which remains to the capitalists after their necessary payments to others have been deducted, and after the capital wasted or used in industrial undertakings have been replaced. Profits are not measured by the proportion which they bear to the rate of wages, but by the proportion which they bear to the capital by whose agency they have been produced. The consumption of any article is not the consumption or annihilation of matter, but only the consumption of those qualities which render them useful or desirable. Consumption is thus the opposite of production, and is to deprive an article of the value communicated to it by labour. Commodities are produced only that they may be used or consumed. Productive consumption is when the advantage or benefit, whether material or otherwise, accruing in consequence to their possessors exceeds their value; and they are consumed unproductively when such advantage or benefit is less than their value. The prosperity and decay of nations depend upon this balance.

POLITICS, *pol'-e-tiks* (Gr., *polis*, a city).—In its widest acceptation, this is both the science and the art of government, or the science whose object is the regulation of man in all his relations as the member of a state, and the application of this science. As a state is a body of men united together for mutual benefit, and the better to

carry out the ends of life, politics extends to the various means by which these purposes are effected, and includes whatever is the subject of positive laws. It includes the various branches of international law, constitutional law, political economy, diplomacy, police, &c. The political sciences are usually divided into the abstract, or purely philosophical, and the historical and practical.

POLITICAL OFFENCES, *po-lit'-e-kal*.—

Distinct from ordinary offences in being considered injurious to the safety of the state, or involving a violation of the allegiance due by a subject to the supreme authority. Among the Romans and other nations of antiquity, offences of this kind were punished by death, confiscation, or public infamy. In England the crimes defined as treasonable or seditious are regarded as political offences; but in this country political offenders from other countries are allowed to take refuge, and are not included in the action of extradition treaties applicable to ordinary crimes. This course has been adopted in deference to the strong popular feeling against the possibility of being made the means of aiding the vengeance of foreign despotic governments.

POLITICAL UNIONS.—Associations formed in England, especially at Birmingham, in 1831, for the purpose of carrying the Reform Bill.

POLL. (See BALLOT AND PARLIAMENT.)

POLL ACT.—In 1465, the Earl of Desmond, deputy for Ireland, put a price upon the heads of many eminent Irishmen who opposed his policy. It was made lawful for "all manner of men that find any thieves robbing by day or night, or going or coming to rob or steal, having no faithful man of good name or fame in their company in English apparel, that it shall be lawful to take and kill those, and cut off their heads, without any impeachment of our sovereign lord the king." The killer, who was left to his own private judgment as to whether his victims were thieves or not, received a certain reward for every head brought in to the authorities. Shocking slaughter was the result of this atrocious law.

POLL-TAX. (See CAPITATION.)

POLYANDRY, pol-e-an'-dre (Greek, *polus*, many; *andros*, man).—A form of polygamy very common in semi-civilized and savage parts of the world, by which one woman has two or more husbands. (See POLYGAMY.) In many places it originates in the numerical inferiority of the women, arising from the practice of killing the greater number of female infants.

POLYGAMY, pol-e'-ga-me (Gr. *polugamia*, from *polus*, many, and *gamos*, marriage).—The state of a man having more wives than one, or a wife having more husbands than one, at the same time. (See POLYANDRY.) Among Eastern nations, polygamy has existed from time immemorial, and was common among the patriarchs. It was tolerated by the laws of Moses, but the custom appears to have died out; for in the New Testament we meet with no trace of it, and the passages which refer to marriage seem to imply that monogamy alone was lawful. The Mohammedan religion allows a man to have four wives; but the permission is rarely used except by theMoh, and the Arabs scarcely ever have more than one wife. In Thibet and a few other places, polyandry prevails. Among the

ancient Greeks, at least of later times, polygamy was never practised, although in the Homeric age it seems to have prevailed to some extent. In republican Rome it was unknown, but it afterwards was not uncommon, Marc Antony being mentioned as the first that took two wives. Montesquieu, Voltaire, and others, attempt to account for the prevalence of polygamy in the East on the ground of the premature old age of the female sex in those regions; the former, also, on the ground of the proportion of females being there greater than of males—an assertion which, though supported by the authority of several travellers, is by no means proved; and even if true, is not at all unlikely to be the result of polygamy. The Germans, according to Tacitus, were almost the only barbarous people that were content with a single wife. Polygamy has not been without its defenders in modern times, most of them grounding their defence on the absence of any express prohibition in Scripture, and others perverting texts of Scripture to palliate, if not justify, the practice. The most important attempt in modern times to revive polygamy has been by the Mormons. (See MORMONS.) In England the punishment of polygamy was originally in the hands of the Church. A statute of Edward I. made it a capital offence; but it does not seem to have come entirely under the civil power until a statute of James I. made it punishable with death, like other cases of felony. (See BIGAMY.)

POLYTHEISM, pol-e-the'-izm (Gr., *polus*, many, and *theos*, god).—The doctrine of a plurality of gods, as opposed to monotheism, which maintains the existence only of one. The two extremes of polytheism may be regarded as *dualism*, or the belief in two supreme beings—a good and an evil, and pantheism, which regards all nature as but God. (See PANTHEISM.) Some consider polytheism as having originated in a corruption of monotheism; others regard it as a deification of the powers of nature. Polytheism differs from idolatry in not of necessity including the notion of forms, which the latter always does, whether it refers to one god or several. There is no evidence in Scripture to show that polytheism existed before the Flood, nor have we any means of knowing when it was introduced; but it is evident that in the time of Moses the Egyptians were polytheists, and not a few of the provisions of the law were directed against this form of error. The Greeks and Romans acknowledged one supreme being—Zeus, or Jupiter—as over all others; but they had numerous lesser deities whom they worshipped as gods.

POMONA, FESTIVALS OF, *po-mo'-na*.

—Celebrations held at Rome and in the adjacent districts in honour of the goddess Pomona, considered as the patron divinity of garden produce.

PONTIFEX, pon-te'-fex (Lat., *pons*, bridge; *facio*, I make).—The ancient Romans established a college for the purpose of preserving and cultivating religious knowledge, the members bearing the title of pontifex, from the notion that, by making sacrifices, the way between the deity and the suppliant was "bridged," or made easier to pass. The president of the college was entitled *Pontifex Maximus*. They regulated all public and private religious rites and ceremonies, directed the mode of burying the dead, proclaimed days of festival, and had care of the calendar. There was no appeal from their

decision. Modern historians consider that officials of the kind were not exclusively Roman, but common to all the Latin States. In the earliest times of which we have any record, the number in Rome was four; but additions were made at various times, until, under Julius Cæsar, the pontiffs numbered 76. The later emperors generally discharged the functions themselves.

PONTIFF, *pon'-tif*.—One of the titles of the Pope, taken from the Roman Pontiffs. (See **POPE**.)

PONTIFICAL, *pon-tif'-i-kal*.—One of the service-books of the Roman Catholic Church containing those services in which only a bishop, or a priest specially delegated by him, may officiate. That now in general use is the *Pontificale Romanum* established in 1596, by authority of Pope Clement VIII.

POOR LAWS, *poor* (Lat., *pauper*).—Until the reign of Henry VIII., the poor of England were dependent upon private benevolence and the charity of well-disposed Christians; but during the reign of that monarch and his children, numerous statutes were passed for providing for the poor and impotent, occasioned, doubtless, by the destruction of the monastic institutions, which supported and fed a very numerous and very idle poor. (See **BEGGARS**.) The statute 43 Eliz. c. 2, however, is generally considered as the foundation of the modern poor-law system, and provides for the appointment of overseers of the poor in every parish. Their office and duty were principally to provide work for all able-bodied persons who had no means of maintaining themselves, and to raise competent sums for the necessary relief of the lame, impotent, blind, and such as were poor and not able to work. (See **PARISH**.) This system continued in operation for above two centuries and a quarter—from 1601 to 1834—without any material modification or alteration. The provision for setting the able-bodied to work was rendered more effectual by 9 Geo. I. c. 6, which enabled every parish to provide, or combine with others in providing, a workhouse. The statute 22 Geo. III. c. 83, commonly called Gilbert's Act, authorized parishes to appoint guardians to act in lieu of overseers in all matters relative to the relief and management of the poor, and also to enter into voluntary unions with each other for the more convenient accommodation, maintenance, and employment of paupers. At length, in 1833, Parliament recommended the issuing of a royal commission for inquiring into the state and administration of the laws relating to the poor, which led to the passing of the Act 4 and 5 Wm. IV. c. 76, commonly called the "Poor-Law Amendment Act." The chief provisions of this Act were the placing of the management of the poor throughout the country, and the administration of the parochial funds, under the superintendence and control of a central board, called the "Poor Law Commissioners," who had power to make such regulations as they thought proper for the guidance and direction of the parochial authorities; they had also the power of uniting several parishes for the purpose of a more effective and economical administration of relief. The powers and duties of this board were, by 10 and 11 Vict. c. 109, transferred to a new board, under the title of "Commissioners for administering the Laws for the Relief of the Poor in England," which was one of the governmental departments, and the pre-

sident of which is a member of the Ministry. In 1871, the duties of the Commissioners were transferred to the Local Government Board, established in that year by Act of Parliament. (See **GUARDIANS**, **PARISH**, **SETTLEMENT**, and **UNION**.) Whenever a person has gained a settlement in a parish, he is considered to retain it until he has acquired a new one in some other place. All who in any parish stand in need of relief, and apply for it, are entitled to be relieved there. If settled there, they constitute its *settled* poor; if not settled, its *casual* poor. As regards the latter, they may in general be removed, by order or warrant, to the parish where they have a settlement, and they are entitled to relief only till such removal can be effected. The parish, however, will be immediately exonerated from the burden of maintaining any pauper who has any relation competent, or by law compellable, to maintain him. The relations so compellable are the father and grandfather, mother and grandmother, or children of the pauper. They are liable to maintain him at such rate as shall be assessed by an order of the justices at their general, quarter, or petty sessions, and, on refusal to obey such order, the sums so assessed are recoverable by a summary proceeding before two justices of the peace. Persons able wholly or in part to maintain themselves or families by work or other means, and refusing or neglecting to do so, whereby they become chargeable on a parish, may be punished by imprisonment with hard labour. Under the present system, out-door relief is extensively administered, and there are casual wards in the workhouses, in which temporary shelter and food may be obtained, the recipient being compelled to perform a certain amount of work in return. There are district medical officers in connection with every union.

Poor Law of Scotland.—The present system, generally similar to the English Poor Law, was instituted in 1845; but no relief is given to able-bodied adults, and out-door relief is the rule.

Poor Law of Ireland.—The first law of the kind was introduced in 1833. There are 163 unions, each with a workhouse managed by a board of guardians; and any destitute person has an absolute right to relief.

POOR-RATE. (See **OVERSEERS**.)

POPE, *pope* (Lat., *papa*).—The title assumed by the supreme head of the Roman Catholic Church. It comes from the Greek *papas*, signifying father, and in the early Church was generally applied to presbyters and bishops. About A.D. 655, when the influence and authority of the Church began to predominate in the West, the patriarch of Rome laid claim to the exclusive appellation of pope; and in 1076, Gregory VII., in a council held at Rome, decreed that the title of Papa should be given only to the Bishop of Rome, the several offices or dignities uniting in the person of the Roman pontiff—(1) primate or head of the Roman Catholic world; (2) bishop of Rome and metropolitan of its province; and (3) temporal sovereign of the Papal States. On the subject of the Pope's power, authority, fallibility, &c., even Roman Catholics themselves are by no means agreed. The Pope derives his power from being said to be the successor of St. Peter, the rock they say upon which Christ was to build the Church. In the list of Popes accepted by the Roman Catholics, St. Peter appears as the first Pope. (See **ANTIPOPE** and **ROMAN CATHOLIC RELIGION**. As to the mode of electing a new Pope, see **CONCLAVE**.)

Pope Joan.—It was for many centuries believed that on the death of Leo IV. in 855, a female was elected to the Papal throne, the secret of her sex not being discovered until after her death. She was said to be a woman who, being in love with a young monk, assumed the male habit, and gained admission to his monastery. She possessed great abilities, and was so learned that she was appointed professor, and was at length elected Pope. Historians now agree that there is not the slightest foundation for the legend.

POPERY.—A name given by Protestants, generally in a contemptuous manner, to the tenets and practices of the Roman Catholic Church.

POPISH PLOT.—A fictitious plot invented, and the accusation supported, by the reckless perjury of Titus Oates, a man who had been chaplain of a man-of-war, but dismissed the service for immoral conduct. He and his associates declared that they had discovered a plot on the part of English Roman Catholics, the object of which they believed to be the assassination of Charles II. and a general massacre of the Protestants. The particulars were laid before Lord Treasurer Danby in August, 1678, and several Roman Catholics were, in consequence, accused, and upon false testimony convicted and executed, among them, Viscount Strafford, who was beheaded in December, 1680. Oates, who had caused the death of so many innocent men, was convicted of perjury in May, 1685, and was fined, put in the pillory, and publicly and most unmercifully whipped.

POPLIN, *pop'-lin* (Fr., *papeline*).—A silken fabric woven in the 15th century at Avignon, and that city, having been the seat of the Papacy for about 100 years, probably originated the name. In 1775, French Protestant refugees introduced the manufacture into Ireland, the name being corrupted into poplin. The fabric rapidly grew in favour. As now made, the warp is of silk and the weft of worsted.

POPULATION OF THE WORLD, *pop-u-lay'-shun*.—The most recent and trustworthy estimate of the total number of human beings in the world is that contained in a work by Drs. Behm and Wagner, the eminent German geographers and statisticians, recently published at Gotha. As nearly all civilized countries prepare at decennial or other short periods censuses of the population of the states, very accurate results may be arrived at in reference to them; and although, in such places as Africa, for instance, there is much guess-work, the estimates made by the best informed and most recent travellers have been carefully examined and collated. According to the latest date, the following are the populations of the various great divisions of the habitable world:—Europe, 327,743,400; Asia, 495,591,000; Africa, 205,823,000; America, 100,415,400; Australasia and Polynesia, 4,232,000; Polar Regions, 82,500.—Total, 1,133,887,300.

POPULATION, ECONOMICAL THEORIES RESPECTING.—In Political Economy, the subject of population is one of the most important branches of the science, being both the means and the end of national wealth. It is, at the same time, one of the most obscure and difficult subjects to understand, and has given rise to a large amount of discussion. It was formerly a maxim in politics that a country could not be over-peopled, as it was supposed that the means of subsistence increased in pro-

portion to the increase of the population, and that this could never be a cause of its falling into want and misery. Some states, therefore, as that of ancient Rome, took means to encourage matrimony by relieving from taxation and preferring to public offices those that married and had children. Others, again, have maintained that it is the policy of states to check the increase of population. The most influential writer of modern times on this subject has been the Rev. Thomas Malthus, whose views, as expressed chiefly in an "Essay on the Principle of Population," published about the beginning of the present century, have been widely accepted by political economists. (See **MALTHUSIANISM**.) There are, however, so many elements to be taken into account, which appear to be lost sight of in these arguments, as to deprive them of any weight or importance. The resources of nature are so bountiful and manifold as to afford little reasonable fear for such an issue. Nature has provided a thousand ways to prevent the increase of the human race beyond the means necessary for its subsistence. Like a careful mistress, she deals out her bounties with a sparing hand, but ever, as the necessities of her dependents increase, she finds means to supply their wants. Much of the earth still remains uncultivated or untouched by the hand of man. There are immense districts of North America, some as large as England, naturally fertile and fit for cultivation, almost untrodden by the human foot; and the capacity of the Australian colonies for absorbing surplus population is as yet immense. Every human being brings wants into the world, to be supplied by industry, as well as the capacity for labour; for who can say what may be yet done by more improved means of cultivation, by machinery, chemistry, &c.? Besides, the extension of the principles of commerce and free trade will open up to each other the extreme parts of the earth.

PORPHYROGENITUS, *por'-a-ro-ge-ne'-tus* (Gr., born in the purple).—A term applied to the emperors of the East, born while their fathers were reigning.

PORT ROYAL.—The name of a celebrated convent of Cistercian nuns, situated near Chevreuse, about five leagues from Paris. It was founded in 1204, and the nuns were of the order of St. Bernard de Cîteaux. In 1625 they removed to Paris, where, in the Faubourg St. Jacques, they had a house, known as the Port Royal de Paris, while the house which they left received the name of Port Royal des Champs, and became occupied by a number of pious and learned men, who wished to lead a pious and secluded life, and were known as "Les Solitaires de Port Royal." The most distinguished of this company were Claude Lancelot, the grammarian; Antoine le Maistre, an advocate and one of the most distinguished orators of his time; Simon Séricourt, a distinguished officer; De Sacy, the eminent translator of the Bible; the two Arnaulds; Pierre Nicole, Blaise Pascal, and Nicolas Fontaine. The mode of life in the Port Royal was distinguished for its austerity. They rose at three o'clock in the morning, and after the common morning prayer they kissed the ground as a sign of their self-humiliation before God; then they read, kneeling, a chapter from the Gospels and one from the Epistles, and concluded with another prayer. Two hours in the morning and one in the afternoon were devoted to manual labour in the grounds adjoining the convent, and they observed

with the greatest strictness the season of Lent. They established a school, which was to consist of five classes, of five pupils each, the teachers being chiefly Arnauld, Lancelot, De Sacy, Nicole, and Fontaine; and they published a series of class-books on Logic, Grammar, Greek, Latin, and Geometry, which bear the name of the society. The fame that they acquired for their learning and sanctity aroused the jealousy of the Jesuits, and was the cause of a long contest that prevailed between the two parties, which at length led to the suppression of the Port Royal des Champs, by a bull of Pope Clement XI., in 1708. The special subject of the controversy was the Jansenistic opinions held by the Port Royalists. (See JANSENISTS.)

PORTE, or SUBLIME PORTE.—The official name of the Court of the Sultan of Turkey. In the 3rd century, Mostasem, the last of the Abbasside caliphs, fixed on the threshold of the principal entrance to his palace at Bagdad a piece of the black stone adored at Mecca, and thus the entrance became the "porte" by eminence and the title of his court. The Sultans, as successors of the caliphs, assumed the title.

PORTLAND ADMINISTRATIONS.—The Duke of Portland formed the Coalition Ministry (which see) in April, 1783; but it was dissolved in the following December, by the coming into power of Mr. Pitt. The second Portland Administration was formed in March, 1807, and lasted till the death of the Duke in 1809.

PORTREEVE, port'-reev (Ang.-Sax., *gerefa*, the bailiff of a franchise or manor).—The early name of the official known in later times as mayor, or principal magistrate of a seaport town.

POSITIVISM, or POSITIVE PHILOSOPHY, poz'-i-tiv-izm.—The name given to the system of philosophy inaugurated by the late Auguste Comte. Humanity, according to him, has three stages of development—the theological, the metaphysical, and the positive. (See AGE.) In the theological state man is disposed to regard all effects as supernatural, as signs of the pleasure or displeasure of some superior being or beings. In the metaphysical stage the supernatural agents give place to abstract forces supposed to be inherent in the substances themselves and capable of producing the phenomena. In the positive stage, the mind, convinced of the folly of inquiring into causes and essences, applies itself to the discovery of those laws which regulate effects, or those invariable relations of succession and similitude which exist throughout nature. The mission of positivism is said to be "to generalize science and to systematize sociality." "It is a doctrine capable of embracing all that can regulate humanity; not a treatise on physical science, not a treatise on social science, but a system which absorbs all intellectual activity." All sciences, of whatever kind, physical or social, are but branches of one science, to be investigated on one and the same method. The natural sciences are of two kinds—the one abstract, the other concrete, special, descriptive. The first are the fundamental sciences; the latter are secondary. General physiology and chemistry are abstract zoology; botany and mineralogy, concrete. It is only the abstract sciences with which Comte deals. These he divides into two great classes—the first comprehending all the phenomena of inorganic bodies, the second those of organized bodies. But the most remarkable aspect of Positivism is

as a Cult, or "Church of Humanity." The Positivists now form what may be considered a sect, with regular congregational assemblages and teachers and lecturers. They profess to believe that the various conceptions of God, of prayer, of the soul, and of human society considered as a whole, entertained by thoughtful persons of all ages, are fundamentally wrong. Mar., as we are told by the author of a popular exposition of Positivism, is the aggregate of certain phenomena, some of which are quantitative—capable of being exactly estimated—and others are vital, that is, existing only as energies and impulses. These impulses are eighteen in number, ten being principles of action, five means of action, and three (courage, prudence, and firmness) the ultimate result so far as the individual is concerned, and the organs by which the other fifteen act upon the material part of man and so upon the outer world. These eighteen impulses, taken together, constitute the soul, and they are all functions of the brain. Except as a property of our organization, the soul has no existence. The ten principles of action are described as the affective motors. Of these seven are personal—the nutritive, the sexual, the material, the military, the industrial instincts, and the desires for power and approbation; the other three, attachment, veneration, and love, being social. A good man is one whose three social affective motors are stronger than his seven personal affective motors. The objects of these social affections appear to be the family, the state, and the human race; and the triumph of good over evil consists in the fusion of man into humanity, the destruction of personality, and the devotion of every individual to the interests of all. The Supreme Being is really the abstract Humanity—the sum total of all human beings, past, present, and to come; and prayer consists in meditation, undertaken with the express object of exciting the worshipper's affection for Humanity. Woman, in the abstract, is an object of adoration, as the type of the mother, wife, and daughter; and the good Positivist is supposed to go three times a day through a mental process, described as "the invocation of the memory of the dead"—an effort to revive within his own brain the image of those among his friends and connections taken away by death who constitute to him the best representatives of humanity. The civil worship, as the nearest Positive approach to direct religious observances is styled, consists in meeting in a hall, around which are busts and other memorials of great men of all times, and meditating and expatiating on their virtues. There are nine ceremonies, or, as they might be styled, sacraments. First, the new-born infant is to be solemnly presented to Humanity. Then, when the seven years' education which is to be conferred on him by the state (that is, of course, supposing the existence of a state in which Positive principles are accepted as law) begins, he is to be solemnly initiated. Choosing a profession is the sacrament of *destination*. Marriage is a sacrament because its principal object is the development of the affective motors. Then there is a declaration of *maturity* at the age of forty-two; and a sacrament of *retreat* from active life at sixty-three; one of *transformation* at death; and seven years after death, of *incorporation*, by which the deceased worthy is absorbed into the eternal subjective existence of humanity. The priests or teachers are to be physicians, authors, or artists. The

magnificent scheme for establishing several thousand colleges for the training of teachers, and the division of all the people on the face of the earth into communities, numbering 3,000,000 each, is, we need scarcely say, as yet unrealized, and it appears to be very probable indeed that it will remain so. All true Positivists, we are told, use a calendar specially prepared, in which the year is divided into thirteen lunar months, dedicated respectively to Moses, Homer, Aristotle, Archimedes, Caesar, Paul, Charlemagne, Dante, Gutenberg, Shakespeare, Descartes, Frederick the Great, and Bichat, the eminent French physiologist; and every day in the year is put under the patronage of some great man. The odd day of the year (the arrangement of lunar months leaving one day to spare), is dedicated to a universal celebration of the dead, and once in four years there is a general celebration of holy women. Positivism appears to be an absurd hash of many philosophies, with considerable traces of Oriental Buddhism and Roman Stoicism.

POSSE COMITATUS, *pos'-se kom-i-tai-tus* (Lat., power of the county).—The power of the county which the sheriff is empowered to raise in case of invasion, rebellion, riot, &c., and comprising all able-bodied males within the county between the ages of fifteen and seventy. All such persons are bound to attend, on being charged by him to do so, under pain of fine and imprisonment. It is also lawful for any peace-officer to raise the posse for the purpose of opposing and suppressing enemies, rebels, &c., within the county.

POSTE-RESTANTE. (See **POST-OFFICE**.)

POSTING, *post'-ing*.—Forwarding passengers from place to place by means of relays of horses. In most European countries, and in the United States, the facilities afforded by railways have almost entirely superseded the posting system; but in the days before railways, travelling by post-chaise was nearly always resorted to by those persons who were able to afford the expense. The name "post" is supposed to be derived from the Latin *positus*, placed, because horses were placed at certain distances on the routes. Posts seem to have had their origin among the Persians. Darius I., son of Hystaspes, caused couriers with saddle-horses to be always ready at different stations throughout the empire, at a distance of one day's journey from each other, in order that there might be no delay in getting reports from the provinces. During the empire, an institution similar to the modern posts was established by Augustus among the Romans. In Germany, France, and Italy, during the 9th century, there existed messengers who travelled on horseback; they were, however, only employed for the government. The use of carrier-pigeons, introduced from the East, had only a short duration in Europe. With the progress of commerce, however, the necessity of having posts made itself felt, and in all the larger cities in Germany mounted messengers and stage-coaches began to be established. Letters were also placed in the charge of travellers, merchants, and butchers, who rode about the country to buy cattle. Pedestrian messengers, who took charge of letters and money for the students, were maintained by the university of Paris in the beginning of the 13th century. In the 15th century, Louis XI. established, for his own use, mounted messengers, and instituted post-stations at intervals of four

French miles on the principal roads of France. During the next century Charles VIII. extended this institution for the use of the court. The first post was established in Germany by Roger I., in the latter part of the 13th century. In 1516, another was established by his son between Brussels and Vienna, by the wish of the Emperor Maximilian. Charles V., on account of the vastness of his states, desired to have news as quickly as possible, and caused a permanent riding post to be established from the Netherlands through Liège, Treves, Wurtemberg, Augsburg, and Tyrol, to Italy. After the death of Charles V., Leonard of Thurn and Taxis, who had constructed the post, was appointed postmaster-general to the empire. As long as the empire existed, this post lasted. Austria and Prussia, in 1850, formed an international post compact, in which, after a time, Bavaria, Saxony, and some other German states, joined. At first, the stage-coaches were united with the post-offices; but this arrangement was in that country, as well as in others, greatly altered and modified by the introduction of railways. (See **MAIL-COACH**.) In France, shortly after the beginning of the 17th century, the system of posts began to receive a more regular form, a comptroller-general of posts being appointed. The post was then farmed out to private speculators till the expiration of the last lease in 1791, when the establishment reverted to the king at a time when it produced a clear income of more than 11,000,000 francs. Till the revolution, which took away all privileges, the postmasters enjoyed great immunities with regard to landed property, the quartering of soldiers, the military duties of their sons, &c. The Russian internal postage is very moderate, the charge for each letter in that large empire amounting to not more than ten copecks, about 2½d. sterling. In Denmark, the post is on the German model, and managed very much with a view to revenue; and the same is the case in Sweden. In Norway there is an independent post, carried on especially by steam-boats, which visit the whole coast. In the Netherlands, the English system of posts seems to be followed; and in Holland, the French. Posts were first established in the English colonies of North America in 1639.

POST OBIT, *o'-bit* (Latin, after death).—A bond or security given by heirs and others entitled to reversionary interests, whereby, in consideration of a sum of money advanced, the debtor binds himself to pay a much larger sum after the death of some person, or of himself. A transaction of this kind is generally accompanied by the payment of an enormous rate of interest; and not unfrequently a court of equity has interfered when the borrower has been a minor, and fallen into bad hands.

POST-OFFICE, ENGLISH.—The commencement of the English postal system is to be observed as early as the 14th century, during the reign of Edward III. It was not, however, at that period a public institution. By Edward IV., post-houses were placed at intervals of twenty miles; and in the north, a military post was established to communicate with the army during the Scottish war. There is no certain information as to what time the general public availed themselves of the benefits of this institution; but it is positive that, for a long time, it was very limited. Long before the reign of Charles I., merchants, tradesmen, and professional men either resorted to less secure methods of convey-

ance, or employed express messengers at great expense. In the principal cities and universities, there were messengers who performed long journeys on horseback or on foot, and returned with answers to the letters. In the middle of the 16th century, a post existed by which letters were carried from London to Edinburgh within four days; this, however, only lasted for a brief period. In 1581, one Thomas Randolph is mentioned by Camden as the chief postmaster of England; but there are reasons for concluding that his duties were to superintend the posts, and had no immediate connection with letters. Under the superintendence of Mathewe de Queter, James I. set on foot a system of forwarding letters intended for foreign lands. Before that time this had been done by private persons. In 1632, Charles I., by a proclamation, forbade letters to be sent out of the kingdom except through the post-office; and three years afterwards he established a system of posts for England and Scotland, which was conducted according to careful and judicious regulations. This was followed by the abolition of all local and private posts, and the income of the post-offices was claimed by the king. The newly-constructed post-office was placed under the control of Thomas Wytherings. About the same time, Charles, in connection with Louis XIII. of France, established an international post between London and Paris; while the private post which had hitherto existed between Rye and Dieppe was abolished. During the period of the civil wars, these institutions suffered severely; but whenever tranquillity was restored, a commission was appointed and a new system established under Edmund Prideaux, a member of the House of Commons. "He first established a weekly conveyance of letters into all parts of the nation, thereby saving to the public the charge of maintaining postmasters to the amount of £7,000 per annum." — *Blackstone*. In fact, so profitable had the institution of a post-office become, that the posts could now be leased for £10,000. The most complete step, however, in the establishment of a post-office was taken in 1656, when an act was passed "to settle the postage of England, Scotland, and Ireland." One of the principal points in this act was, it enacted that "there shall be one general post-office and one officer styled the Postmaster-general of England and Comptroller of the Post-office." The arrangements of this act were confirmed in the first year of the Restoration, by an act which was repealed in Queen Anne's reign. A metropolitan penny-post was first started in 1683; and from 1711 to 1838 more than 150 acts affecting the regulations of the post-office were passed. For the great radical change which took place in our postal system, we are indebted to Sir (then Mr.) Rowland Hill, who first gave an intimation of his plan in a pamphlet, in the year 1837. He there clearly showed that the post-office system as it stood was costly and inefficient; that partly from franking privileges, and partly from impolitic charges on payable letters, it had fallen into a weak state; and the outlay was enormous, while the returns were disproportionately small. The average cost for all letters in Britain was about 6½d., while all packet and ship-letters cost about 2s. For a single-sheet letter sent 15 miles and under, the charge was 4d.; 15 to 20, 5d.; 20 to 30, 6d.; 30 to 50, 7d.; and so on. Mr. Hill summed up the result of these charges thus:—"From 1815 to 1820 the annual gross revenue of the Post-office department was

£2,190,597; from 1832 to 1837 it amounted to £2,251,424. The positive increase in seventeen years was £60,827, averaging only £3,578 yearly, or little more than one and one-half per thousand; although in these seventeen years the increase of population had been 25 per cent., or 25 per thousand, and the advance in trade, industry, intelligence, in short, of every species of material and intellectual activity, was still greater." The principal feature of Mr. Hill's magnificent plan was that of a uniform penny postage for all inland-borne letters and packets not exceeding a certain weight, beginning at half an ounce. The legislature, to a large extent, adopted Mr. Hill's plan, and on August 17th, 1839, the important act, 2 & 3 Vic. c. 52, was passed, which empowered the lords of the Treasury "to take the necessary steps to give effect to such reduction, and to make orders and regulations for the same." On the 10th of January, 1840, the uniform rate of 1d. per half-ounce for pre-paid letters came into operation, and has so remained. The statistics of the Post-office are anything but complete. Previous to the year 1716, only a few scattered accounts can be found. In 1653, it was leased for £10,000; in 1659, for £14,000; in 1663, for £21,500; in 1674, for £43,000; and in 1685, for £35,000. From that period up to 1733, the average yearly net revenue was £97,540. In the Postage report of 1838 are accounts showing the gross receipts, charges of management, &c., from 1758 to 1837. The following selections will show its progress:—

Year ended April 5.	Gross Receipts.	Charges of Management.
1758	£222,075	£148,345
1769	305,058	140,298
1779	402,918	263,670
1799	1,012,731	324,787
1816	2,103,741	594,045
1837	2,206,736	609,220

The first entire year of the penny postage was 1840; but then letters might be paid or stamped, or were charged double. During that year, 191,931,365 letters passed through the post-offices of the United Kingdom. The revenue derived from the Post-office had been £1,649,088 in 1839; in 1840 it only amounted to £495,514. In 1845 the number of letters amounted to 329,161,811, and the revenue was £760,588. The number of letters and the amount of revenue increased rapidly, and in 1848 the additional advantage was given of a book-post, by which single books could be sent, open at the ends, at a uniform rate of 6d. per pound—a privilege which was gradually extended to the colonies. In 1855 the rate of postage for printed sheets was reduced to 1d. for a quarter of a pound, 2d. for a half-pound, and 2d. extra for each fraction above half a pound. In 1857 it was decided that packets could be sent by post containing any number of sheets, written or printed, but the written matter must not be of the nature of a letter, and may consist of bound books, or maps or prints on rollers; such packets, however, not to exceed two feet in length, depth, or width, and all must be open at the ends or sides. Regulations were also made by which such packets could be forwarded to any of the colonies. An annual report by the Postmaster-General is presented to both Houses of Parliament, and the following information respecting the administration and extent of business of the department is chiefly based on the report for 1882. From it we learn, among other incidental items, that in

1839, the year before the introduction of penny postage, the number of letters per individual of the population of the United Kingdom was 3; in 1840, the year after the establishment of cheap postage, the number was 7; in 1872, when the system had been in operation for more than thirty years, 28; and in 1882, 35. The enormous increase of business thrown on the department in the receipt and delivery of letters alone is evident; and when the telegraphic, money-order, savings-bank, and insurance work, all added at comparatively recent periods, are taken into account, some approximation to a conception of the extent of the department may be arrived at. The General Post-office of London (now the centre of the colossal system) was originally established in Cloak Lane, near Cannon Street, whence it was removed to the Black Swan, in Bishopsgate Street. After the Great Fire of 1666, it was removed to the Two Black Pillars, in Brydges Street, Covent Garden, and afterwards (about 1690) to Sir Robert Viner's mansion in Lombard Street. In 1829, a new and very large building was erected in St. Martin's-le-Grand, near St. Paul's Churchyard; but so great was the increase of business that much greater space was necessary, and a very extensive and handsome building, opposite the other, was completed and occupied in 1873, and is at present chiefly occupied by the principal officials, with their staff of clerks, and the telegraph department—the work connected with the reception, sorting, and delivery of letters and newspapers being carried on in the older edifice. The money-order office occupies a separate building; and the savings-bank department, after several years' occupation of temporary premises, has recently been removed to an extensive range of offices in Queen Victoria Street. The rapid increase of business, and especially the adoption of the parcel post, now (July, 1883) coming into immediate operation, will, no doubt, make necessary considerable additions to the buildings occupied by the department.

Official Staff.—The Postmaster-General, the responsible head of the department, is a member of the ministry, and generally, but not invariably, of the Cabinet, and, of course, vacates his office with a change of administration. He receives a salary of £2,500 per annum, and is allowed two private secretaries, with salaries of £500 and £400 respectively. The permanent head of the staff is the secretary, who has a salary of £1,750. There are, besides, connected with the secretary's department, a financial secretary, a third secretary, three assistant-secretaries, a secretary for Ireland, and a surveyor-general for Scotland. There are 30 superior officers in the metropolitan offices, heads of departments, chief clerks, &c.; 15 surveyors, 915 head postmasters, in the United Kingdom, and 15,086 sub-postmasters and letter receivers. In London, Dublin, and Edinburgh there are 2,375 male and 320 female clerks and superintending officers, and 1,102 female telegraphists, women employed at the counter, and in other capacities. Of provincial clerks and telegraphists, there are 5,095 in England and Wales, 472 in Ireland, and 793 in Scotland. 18,055 persons are employed as telegraphists, letter-carriers, porters, messengers, &c., 2,273 being telegraphists; and there are 8,192 persons occupying unestablished positions, as auxiliary letter-carriers, telegraph messengers, and porters, telegraph construction hands, copyists, female servants, commissionaires; and there are 19 postmasters and clerks in colonies, under the direction of the Postmaster-General; and 20 agents in foreign countries for collection of postage and other purposes. Altogether, the post-office department for the United Kingdom gave employment in 1882 to 29,773 persons holding permanent situations, in addition to about 20,000 irregularly employed.

Number and Work of the Post-Office.—There are in the United Kingdom 14,978 offices, of which 915 are head-offices; and there are about 28,360 letter-boxes and other receptacles for letters. The first street pillar-box was placed at the corner of Fleet Street and Farringdon Street, London, in March, 1855. The estimated number of letters delivered in the United Kingdom in 1881 was 1,220,354,800; post-cards, 131,329,000; book-packets and circulars, 271,038,700; and newspapers, 140,789,100. There are 620 post-towns in England and Wales to which mails are despatched daily from London. The number of letters received in the Returned Letter Offices, the addresses being insufficient, or the persons to whom they were addressed being undiscoverable, was 5,454,885; of post-cards, 559,409; of book-packets, 4,701,394; and of newspapers, 4,177,794; the total number being 11,130,482. When possible, after opening the letters, they are returned to the writers, and the book-packets and newspapers to the senders. The total estimated number of letters, post-cards, book-packets, and newspapers received from abroad in the course of the year was 69,000,000, and the number despatched to foreign countries was about 87,000,000. In one year 31,345,861 telegraph messages were forwarded. Statistics of the money-order, savings-banks, and other departments are given below. Inland revenue licenses are also obtained at the post-offices; and in 1881-2, 1,176,834 licenses were issued.

Revenue and Expenditure.—In 1881, the gross revenue of the Post-Office was £9,028,374, thus divided:—Postage, 6,770,232; commission on money and postal-orders, and value of unclaimed money-orders, 1,257,368; savings-bank profits, £346,173; revenue from telegraphs, £1,654,201. The expenditure was £5,927,899:—For postal service, including money and postal-order business, £3,648,721; packet-service, £637,875; savings-bank, £200,574; telegraph service, £1,440,779. The net revenue, therefore, of the department was £3,100,475.

Postage Stamps and Envelopes.—Stamped postage covers were issued in 1840, and soon afterwards, stamps to be affixed to letters were sold by the Post-Office. They are now in general use, have almost entirely superseded money payments, and are available also as receipt and telegraph stamps. They are provided in sheets, perforated so that one stamp can be easily detached, and gummed at the back so as, when moistened, to be adhesive to the letter. Postage stamps afford a convenient means of transmitting small sums of money, as they can be changed into cash (making a slight allowance) at any post-office.

Money-Orders.—The system of issuing money-orders was begun in 1792, but was little used on account of the expense. In 1840 new regulations were made, and now this department is one of the most extensive and useful in connection with the Post-office. Money-order business with foreign countries began in 1869. In the year 1881-82, 14,692,828 money-orders were issued in the United Kingdom, representing a sum of £23,367,672. These orders are issued at a low rate of commission, and can only be cashed at the particular office at which they are made payable. The money-order system extends to the colonies, and in 1881-82, 121,210 orders on the colonial offices were issued in the United Kingdom, and 771,515 were issued in the colonies. In the same period, 360,054 orders on foreign countries were issued in the United Kingdom, and 775,123 payable on offices in the United Kingdom were issued abroad. Recently *Postal Orders*, payable at any post-office, have been issued for small fixed sums, and not like money-orders for any amount. They must be presented for payment within three months from the date of issue, or, failing that, a fresh commission is charged equal to first cost. In the year to which reference has been already made, 4,462,920 postal orders, representing £2,006,917 were issued, and the average time they were in circulation was six days.

Post-office Savings Banks.—Savings Banks are now established at all money-order offices, where sums of not less than one shilling may at any time be deposited. Not more than £50 is received in any one year, nor is any interest paid when the amount standing at a depositor's account reaches £250 exclusive of interest. Interest is paid at the rate of 3 per cent per annum. In 1882, the amount received from depositors

was £12,827,230, which, added to the deposits previously in the bank, and the interest thereon, amounted to a total of £49,907,355. The repayment of deposits amounted to £10,850,553. The interest paid or credited to depositors in the twenty-one years which had elapsed since the establishment of the banks amounted to nearly £8,500,000. In order to encourage small savings, at every Post-Office in the United Kingdom forms for the making of small deposits in Post-Office Savings Banks are now issued gratuitously. Each of these forms, which are about the size of an ordinary cheque, has twelve divisions, in each of which a penny postage stamp can be placed. When a form has thus been filled with twelve stamps it will be received at any Post-Office at which there is a savings bank as a deposit of a shilling. In 1887-88, £1,695 was received from this penny stamp saving scheme. By the Savings Banks Act of 1883 any person may now invest, at any Post-Office in the United Kingdom at which there is a savings bank, small sums in any one of the following Government stocks—Consols, Reduced, or New 3 per cents. The sums so invested must not be less than £10, and must not exceed £100 in any one year, and the aggregate amount held by any one investor must not exceed £300. The total amount invested on behalf of depositors at the end of March, 1882, was £875,086.

Annuities and Life Assurances.—These are now effected, through the medium of the Post-Office, at moderate rates. This business was begun in April, 1865, and between that date and the end of 1881, 18,959 contracts had been entered into.

Telegraphs.—The Telegraph Act, passed in July, 1868, enabled the Postmaster-General to purchase existing telegraphs. In 1881-82, the number of telegraph messages transmitted by the Post-Office was 31,345,861. The total number of Post-Offices and railway stations whence messages could be sent was 5,595.

Parcels Post.—A Parcels Post is arranged, to come into operation in August, 1883; and it is expected that it will be made extensively available.

POST-OFFICE, OFFENCES AGAINST.—The Postmaster-General enjoys the monopoly of carrying letters; but that privilege does not extend to printed books or newspapers. A letter, however, may be sent by a private friend or messenger, and legal writs, merchants' letters, sent by vessels, or along with goods, are excepted. But no person is permitted to collect and send those excepted letters, for that would be infringing the rights of the Post-Office. The penalty for an offence of this kind is £5. Any person employed by the Post-Office who steals a post letter is guilty of felony, and liable to severe punishment; and receivers of letters improperly taken or stolen are also guilty of felony. Whoever steals, secretes, or destroys printed papers or newspapers sent by post commits a misdemeanour; and delaying the delivery of a letter or telegraphic message, or disclosing the contents, is also an offence.

POST-OFFICE DIRECTORY. (*See* **DIRECTORIES.**)

POSTAL INTERNATIONAL CONVENTION.—A Congress of representatives of all the great European powers, and the United States of North America, met at Berne in September, 1874, and signed a convention agreeing to uniform rates of postage.

POSTULATE, pos-tu-lait (Lat., *postulo*, I demand).—In Philosophy and Geometry is something assumed or taken for granted, in order to prove something else. Kant's postulate is a proposition whose certainty is incorporated with that of another, so that you must reject that other or admit at the same time what it necessarily supposes. His three postulates of practical reason

are freedom, immortality, and God. In Geometry, the three postulates of Euclid are—a straight line may be drawn from one point to another; a line already drawn may be produced; and a circle may be described from a given centre with a given radius.

POSTULATION, pos-tu-lai'-shun (Lat., an asking).—In Canon Law, a presentation or recommendation to a superior, to whom the right of appointment to any dignity belongs, in favour of one who has not a strict title to the appointment.

POSTURES, pos-tures (Lat., *positura*, a placing).—A term applied in ecclesiastical matters to the attitude observed in public worship, and also used in connection with private worship. The ancient Christians assumed four postures in their prayer—standing, kneeling, bowing, and prostrate.

POT-WALLERS, OR POT-WALLOWERS.—Before the Reform Act of 1832, in some of the rotten boroughs, persons were considered entitled to vote for representatives in Parliament if they boiled a pot over a fire-place erected in the open air within the limits of the borough, an act which entitled him to be considered as able to provide for his own subsistence, and not under the necessity of applying for parochial relief. The vote of a pot-waller was generally easily purchasable, the price varying with the closeness of the contest.

POUND, pound, (Lat., *pondus*, weight).—An English measure of weight of several denominations; such as avoirdupois, troy, apothecaries', &c. The pound avoirdupois is divided into 7,000 grains troy, the other pounds into 5,760 grains. The former is divided into 16 ounces, and the latter into 12.

In Money.—The pound sterling is equal to 20 shillings, or 240 pence. In ancient times, 240 pence were equivalent to a pound weight of silver; hence the origin of the word.

Pound.—In English Law, an enclosure in which stray cattle are put and detained until the damage done by them is paid for. Formerly there was a pound in every parish.

POWER.—In Philosophy, power is usually regarded as of two kinds—an active power, or the principle of acting or making any change; and passive power, or the principle of bearing or receiving any change.

In Law, power is an authority which one man gives to another to act for him, and is commonly applied to a reservation made in a conveyance for persons to do certain acts; as to make leases or the like. Powers deriving their effect from the Statute of Uses, are either given to a person who has an estate limited to him by the deed creating the power, or who had an estate in the land at the time of the execution of the deed, or to a stranger to whom no estate is given, and the power is for the benefit of others. In Scotland, powers are generally known as faculties.

In Politics, power is equivalent to an independent state or kingdom. Congresses are attended by "representatives of the powers." The "six great powers" of Europe are Great Britain, France, Prussia, Austria, Russia, and Italy.

POWER OF ATTORNEY. (*See* **ATTORNEY.**)

PRÆFECT, pre-fect (Lat., overseer).—A title borne by various Roman functionaries. The *præfectus urbi*, was charged with the maintenance of order in the city; and the *præfectus prætorio*, commanded the soldiers appointed to guard the person of the emperor.

PRÆMUNIRE, *pre-mu-ni'-re* (Lat., a corruption of *præmonere*, to forewarn).—In Law, the first word of an ancient writ, by which a party was summoned before the king to answer a charge of contempt against him, by doing some act in derogation of the allegiance due to him. As now used, the term is both applied to the writ itself and to the offence which forms the subject of many stringent statutes still unrepealed, though long since dormant. Terrible penalties are denounced by statute against this offence; yet such prosecutions are unheard of in our courts. There is only one instance of such a prosecution in the State Trials, in which case the penalties of a *præmunire* were inflicted upon some persons for refusing to take the oath of allegiance in the reign of Charles II. The chief acts of Parliament referring to the offence of *præmunire* are 6 Anne c. 7, and 12 Geo. III. c. 11.

PRÆTOR, *præ'-tor* (Lat., *præ-co*, to precede).—A title given to the Roman consuls who led the armies, and also held by a magistrate who ranked next in power to a consul, and who, in fact, was almost equivalent to a third consul. (See *CONSUL*.) At first patricians only were eligible to the office, but in 337 B.C., plebeians were permitted to hold it. The foundations were chiefly judicial. In course of time, especially under the empire, the number of *prætors* was gradually increased from one to eighteen.

PRÆTORIAN BANDS.—Roman soldiers, whose special duty it was to protect the person of the emperor. In the time of Augustus they numbered nearly 10,000 men, divided into cohorts each about 1,000 strong. They were picked men and highly paid, and in course of time became so powerful and arrogant that they were able to influence the succession to the purple, if bribed sufficiently. The Emperor Constantine abolished the force as a separate body, in 312 A.D.

PRAGMATIC SANCTION, *prag-mat'-ik* (Gr., *pragma*, a deed or act).—A solemn decree or ordinance of a monarch or legislature on some matter of importance. The phrase seems to have originated with the Byzantine monarchs, but was early introduced into France, and is now more particularly applied to several of the more important state decrees. The principal of those are:—1. The ordinance of Louis IX. in 1269, by which the liberties of the Gallican church were established. 2. That of Charles VII. of France, in 1438, occasioned by the schism in the Church between the council of Basel and Pope Eugenius IV. It confirmed the decrees of the council of Basel, and declared its supremacy over the pope. 3. The ordinance confirming the decrees of the same council, adopted in Germany in 1439 by the diet of Mentz. 4. The instrument by which Charles VI., emperor of Germany, in 1722, endeavoured to secure his dominions, tailing male issue, to his daughter, the archduchess Maria Theresa. 5. The instrument by which Charles III. of Spain, in 1759, settled the right of succession to the throne of the Two Sicilies upon his third son and his descendants.

PRAJAPATI, *prah'-ja-pa-te* (Sanskrit, *praja*, created beings; *pati*, lord).—In Hindoo mythology, one of the names of Brahma, and also of certain divine personages, about ten in number, who were produced by Brahma, and who created all existing beings and natural phenomena.

PRAJNA PARAMITA, *praj-na pa-ra-*

ma'-ta (Sanskrit, *praja*, wisdom; *param*, to the other shore).—The title of one of the principal Sûtras, or expositions of the Buddhist doctrines. (See *SUTRAS*.) It is partly eulogistic of Buddha, but mainly an exposition of abstruse metaphysical teaching.

***PRAYER**, *prayr* (from Lat., *precari*, to beseech).—In nearly all ages of the world, and among all professors of any form of religion, prayer, or direct appeals to the Supreme Being for special objects, have been nearly universal. The practice of it is clearly enjoined in Scripture, and the necessity of it is universally admitted by all who profess and call themselves Christians. It implies faith in the particular providence of God, and is either public or private. It is said to consist of adoration, confession, supplication, intercession, and thanksgiving. By adoration, we express our sense of God's infinite perfections, and acknowledge our constant dependence upon Him; by confession, we acknowledge our manifold transgressions, and our unworthiness of benefits; in supplication, we entreat him not to deal with us according to our deserts; in intercession, we petition for others, for friends, enemies, all men; and by thanksgiving, we express our gratitude to God for the benefits He hath bestowed upon us. As reasons for prayer, Dr. Paley says, (1) "A favour granted by prayer may be more apt, on that very account, to produce good effects upon the person obliged;" (2) "it may be consistent with the wisdom of the Deity to withhold His favours till they are asked for, in order thereby to keep up and circulate a knowledge and sense of dependence upon Him;" (3) "prayer has a natural tendency to amend the petitioner himself, and thus to bring him within the rules which the wisdom of the Deity has prescribed to the dispensation of His favours." When, however, we pray for what is requisite and necessary for the body or the soul, we are at the same time to use every exertion to obtain it; for while exertion without prayer is presumption, prayer without exertion is a mockery to God.

Prayers for the Dead.—In the Roman Catholic, Greek, and other Oriental Christian Churches, prayers for the souls of deceased persons are offered. The connection of this practice with the doctrine of Purgatory, or an intermediate state, is evident. In ancient Egypt, in India, and China, prayers for the dead were offered. The Jews found authority for this in the book of Maccabees; and in the early Christian Church such prayers were offered. In the Burial Service of the first Book of Common Prayer authorised in the Church of England, prayers for the deceased were retained; but they were afterwards expunged.

PRAYER-BOOK. (See *LITURGY*.)

PRAYER-MILL, OR PRAYER-WHEEL.—An instrument used by Buddhist priests. One form is a small wheel, with "flies," on which are written prayers, and the motion of the wheel is supposed to confer all the merit of the recitation of the prayers upon him who sets it in motion. Another form is a large egg-shaped barrel, upon an upright spindle, composed of sheets of paper pasted one over another, and on each sheet is written a different prayer. At the bottom of the barrel is a cord which gives a rotary motion. The priests make the machine spin rapidly, and claim the merit of the repetition of all the prayers at every revolution of the barrel, and on receiving compensation for their trouble, will spin it also on behalf of the people.

PREACHING, *preetch'-ing*.—This word literally and strictly signifies the announcing or proclaiming as a herald. The modern system of preaching was unknown in the early Church. The general mode then was for the priest to read portions of the Old or New Testaments, and explain or enforce the precepts which they contained. Generally, sermons were delivered whenever the Scriptures were read, and sometimes several by different persons at the same meeting. Some of Chrysostom's sermons occupied two hours in the delivery, though this was the time generally allotted to the whole service. About the 13th century, the scholastic divines of this country directed their chief attention to the study of the Sacred Scriptures, and hence were called Bible Divines. They introduced a new and artificial mode of preaching, called declaring. Before this time, the clergy generally adopted postulating or expounding a large portion of Scripture, sentence by sentence. By the new method, the preacher reads a text out of some book and chapter of the Old or New Testaments, dividing it into several parts and expounding them; and, generally, the more numerous the divisions and subdivisions, the better and more highly was he esteemed. The opposition to this textual mode of preaching continued for upwards of a century, but at length it came generally to prevail.

PRE-ADAMITES, *pre-ad'-am-its*.—In 1055, Isaac de la Peyrere, or Pererius, by which Latinized form of his name he is best known, published a treatise in which he endeavoured to prove that Adam was the progenitor of the Jewish people only, and that before his time other races existed on the earth. The Mosaic history, as related in the Pentateuch, related only to the people to whom it was addressed. His speculation produced little effect at the time, and to avoid a charge of heresy, he made a public recantation of the opinions he had expressed. Recent archaeological discoveries, tending to show that man existed on the earth at a very remote period, have recalled attention to the speculation of Pererius.

PREAMBLE, *pre-am'-ble* (Lat., *præ*, before; *ambulo*, I walk).—In Law, the introductory part of a statute, which states the reasons and intent of the law. A preamble is often admissible in argument in order to show the meaning or intention of an Act of Parliament.

PREBEND, *preb'-end* (Lat., *præbco*, I allow).—The stipend which a prebendary receives from the revenues of the cathedral or collegiate church with which he is connected. Prebends are distinguished as simple and dignitary, the former having no more than the revenue for its support, the latter having always a jurisdiction annexed to it. The person enjoying a prebend is styled a prebendary.

PRECEDENTS, *pres'-e-dents*.—In Law, authorities to follow in determinations in courts of justice. The precedents of the courts are said to be the laws of the courts; and the court will not reverse a judgment contrary to many precedents.

PRECENTOR, *pre-sen'-tor*.—In Church matters, is the leader of a choir. In almost all the old cathedrals of England, and very generally on the Continent, he is the first dignitary in the chapter, ranking next to the dean, and he super-

intends the choral service and choisters. In Presbyterian churches, the precentor is the person who conducts the psalmody, and is generally seated at a desk below the pulpit.

PRECEPT, *pre-sept*.—In Scotch Law, an order to perform some legal act.

PRECEPTORY, *pre-sep'-to-re*.—A house of the Knights Templar, under a head bearing the title of Knights Preceptor. (See *TEMPLARS*).

PRECOGNITION, *pre-kog-nish'-ion* (Lat., *præ*, before; *cognitio*, knowledge).—In Scotch law, the substance of the evidence which a witness in a criminal case is prepared to give at the trial.

PREDECESSOR, *pre-de-ses'-sor* (Fr., *prédécesseur*; from Lat., *præ*, and *decedo*, I depart).—In Law, a person who has preceded another in the same office. The king, the president, the judge, and the magistrate, occupy the place vacated by their predecessor. Predecessor is distinguished from ancestor, who is of the same blood; but it may, perhaps, be sometimes used for it. (See *ANCESTOR*.)

PREDESTINATION, *pre-des-ti-nat'-shun* (Lat., *præ*; and *destino*, I appoint).—The supposed decree of God, by which He has, from all eternity, unchangeably appointed whatsoever comes to pass, more especially ordaining certain individuals of the human race to everlasting happiness, and fore-ordaining the rest to everlasting misery. According to Article XVII. of the English Church, "Predestination to life is the everlasting purpose of God, whereby (before the foundations of the world were laid) He hath constantly decreed by His counsel, secret to us, to deliver from curse and damnation those whom He hath chosen in Christ out of mankind, and to bring them, by Christ, to everlasting salvation, as vessels made to honour," &c. The Westminster Confession further declares that "although God knows whatsoever may or can come to pass, upon all supposed conditions, yet hath He not decreed anything or because He foresaw it as future, as that which would come to pass upon such conditions." Yet, "neither is God the author of sin, nor is violence offered to the will of the creatures, nor is liberty, or contingency of second causes, taken away, but rather established." This doctrine is not peculiar to Christianity, but is to be found among the Stoics and other ancient sects, and is one of the chief points of Mohammedanism. The controversy concerning it first made its appearance in the Christian Church about the beginning of the 5th century. Pelagius and others, about this time, denied the doctrine of predestination, and were strenuously opposed by Augustine, who was the first to expound and work this doctrine into a system. (See *PELAGIANISM*.) After the time of Augustine, his opinions were very generally adopted, and were maintained by the whole of the earlier Reformers. The Lutherans, however, afterwards abandoned them; and they are now generally known as Calvinistic doctrines, from John Calvin, of Geneva, who maintained them with great vigour and clearness. The opponents of the doctrine of predestination among the Protestants came subsequently to receive the name of Remonstrants, or Arminians, from James Arminius, professor of theology at Leyden, in 1602. There are two kinds of predestinarians—the supralapsarians, who maintain that God did

originally and expressly deuce the fall of Adam, in order to display his justice and mercy; and the sublapsarians, who maintain that God only permitted the fall of Adam; but the distinction is now little observed. In the Roman Catholic Church the Jansenists were the great maintainers of the Augustinian doctrine.

PREDICAMENTS, *pre-dik'-a-mentz* (See CATEGORIES)

PRE-EXISTENCE, DOCTRINE OF.

—In many eastern religions and philosophies, the idea was entertained that human souls were in existence before the generation of the bodies with which they are united in this life. Many of the Greek philosophers held a similar opinion (see PYTHAGOREAN PHILOSOPHY); and it was entertained too, by a considerable number of the early Christians. Some modern poets and German writers have expressed similar views.

PREFECT, *pre-fekt*. (See PRÆFECT) —In modern France, the prefect or *préfet* is an important political functionary, possessing extensive powers of municipal regulation. The *arrondissements*, or districts into which the departments are sub-divided, are under *sous-préfets* appointed by them. Council of the Prefecture acts in some measure as a court of appeal from the decisions of the prefect.

PRELATE, *pre-lat* (Lat., *prælat*, pre-ferred).—Literally, one preferred or advanced before another, but the term is now confined to a particular species of preferment or advancement among the clergy. Anciently, the name was applied to priests or members of the clerical body in general, but now it is applied only to those of them who have obtained the very highest dignity—namely, bishops and archbishops, and in the Eastern Church, patriarchs.

PREMIER, *prem'-yer* (Fr., first) —In politics, a name commonly given to the head of an administration.

PREMISES, *pre-mee-ze* (Lat., *præmissa*, things before spoken of).—In Law, a term denoting a certain part of a deed which expresses the subject-matter of a document the particulars of which have been previously set out at length. The word is also a common legal term for a house or building, and outbuildings, &c., belonging to it.

PREMONSTRANTIAN ORDER, *pre-mon-stran'-ten-ee-an*.—A religious order, known also as Norbertine, founded in 1120, in Germany, by St. Norbert, canon of Cleves, designed to reform the irregularities of the clergy and the monks. He believed that a site for the foundation of the Order was pointed out to him in a vision, and he therefore named the new institution from the *Præmonstratum*, "the monasterium indicated." The order rose into great importance, and an order of nuns was also established. In Austria, there are some establishments of the order, which have elsewhere declined.

PREROGATIVE, *pre-roj'-a-tiv* (Fr., *prérogative*, from Lat., *prærogare*, to ask before) —An exclusive or peculiar privilege vested in some particular person, or class of persons; thus we speak of the prerogative of the House of Commons or House of Lords, the royal prerogative, &c. Most commonly the term is used in the last of these connotations, to denote the special prerogatives which the sovereign hath over and above all persons, and out of the ordinary course

of the common law, in right of his regal dignity. In its highest sense, it consists in the consent of the king or queen being necessary before any new law be made, or any existing law altered. All the other features of the royal prerogative may be understood as comprised in or as necessarily flowing from this as the right to pardon offenders, of making war or peace, of laying embargoes, of sending ambassadors, of bestowing honours, commissioning officers in the army and navy, &c.

Prerogative Court, a court wherein all wills were proved, and so called because it belonged to the prerogative of the Archbishop to oversee these matters. Hence there was a Prerogative Court for the province of York, and another for the province of Canterbury. This jurisdiction was taken away in 1838 and transferred to the Probate Court. (See PROBATE COURT)

PRESBYTERIANISM, *prez-by-ter-i-an-izm* (Gr., *presbyteros*, an elder).—That form of ecclesiastical polity in which the chief power is vested in a court of presbyters, or teaching and ruling elders. Presbyterianism differs from Episcopacy in refusing to acknowledge any such succession to the apostleship on the part of bishops as would constitute them an office separate from, and superior to, presbyters, and from Independency, in claiming for presbyters the official authority which it lodges in the common membership of the Church, and in asserting such a connection between the different congregations of a church as renders them amenable to a common jurisdiction. The three elements existing in the Presbyterian system are: (1) the authority of the presbytery, more especially as subordinate to no office bearer of higher rank in the Church, (2) the representation of the laity in its government, and (3) the provision made for its external unity in courts of review. Presbyterians agree with Episcopalians in denying that private members of the Church have a right to share directly in the government of it: for it is not competent for any member of the Church to assume at pleasure the functions either of teaching or ruling in it; but they deny that all church power rests exclusively in the clergy. They further admit to each congregation the right of jurisdiction within itself. In all churches where the state does not interfere, the privilege of choosing the minister is left with the people. The teaching elders are the ministers of the word and sacraments, and are all on an equality; the ruling elders are the representatives of the people, and form a part of all ecclesiastical bodies, in which they have equal authority with teaching elders. A series of judicatories, rising one above another, secures to each church the watch and care of its appropriate judicatory, and to the whole body an efficient system of review and control. Without going into the arguments advanced by Presbyterians in support of their views, or attempting to follow out the traces of the system that are to be found in the early Church, we content ourselves with stating that after the Reformation, the Lutheran churches mostly adopted the Consistorial system, the Reformed churches the Presbyterian. The system of church polity drawn up by Calvin when invited to assume the post of ecclesiastical legislator for the city of Geneva, has ever since been recognized as the basis of the Presbyterian system. The various Presbyterian bodies of the present day differ very much in details and minor points, but their leading principles are the same. The mottoed of the Presbyterian Churches is that

of Scotland, John Knox having, on his return from Geneva, brought with him the system of Calvin, and introduced it into his native country about 1560. (See SCOTLAND, CHURCH-OF.) The lowest court of judicature is what is called the Kirk Session, being composed of the minister and lay or ruling elders of a parish or congregation; the minister being *ex officio* chairman or moderator. Its duty is to superintend the internal discipline of its particular church. Next in authority is the Presbytery, consisting of all the ministers of a district, and one ruling elder from each parish, deputed by his brethren as their representative. One of the ministers is chosen moderator; and the jurisdiction of this body extends over the churches of the district, and includes the examining, ordaining, and censuring of ministers, the licensing of candidates, investigating of heresies, directing sentences of excommunication, &c. All the presbyteries of a province meet twice a year, as a provincial synod, and exercise an authority over the presbyteries within the province similar to that which each presbytery exercises over the several kirk sessions within its district. The supreme ecclesiastical court of the Church of Scotland is the General Assembly, which meets annually at Edinburgh, and is composed of delegates from the several presbyteries, &c. (See ASSEMBLY, THE GENERAL.) The ministers are ordained by the imposition of hands of the clerical part of the presbytery; and the ruling elders are set apart to their office, with solemn prayer and exhortation, in presence of the congregation. Various secessions have from time to time taken place from the national church of Scotland, by bodies holding Presbyterian views, but differing on other points, more particularly on the subject of patronage and the undue interference of the civil power. The principal of these bodies are the Free Church (which *see*), which seceded in 1843, and the United Presbyterian Church, being an amalgamation of the Secession Church and the Relief Synod, effected in 1847; the former having separated from the establishment in 1732, the latter in 1752. The Westminster Confession of Faith is the standard of the several Presbyterian bodies in Scotland.

The Presbyterian Church of England was established at Wandsworth, Surrey, 1572, and reconstituted at Liverpool in union with the U.P. Church of Scotland on the 13th June, 1876.

The Irish Presbyterian Church is an offshoot of Scottish Presbyterianism, and originated in the settlement in Ulster of Scottish colonists during the reign of James I.

The Presbyterian Congregations in the United States were first organized in Maryland, about the close of the 17th century; the oldest is that at Snow Hill, which was established in 1690, and the first presbytery at Philadelphia in 1705. There are at present four chief branches: the Presbyterian Church, North; the Presbyterian Church, South; the United Presbyterian Church; and the Cumberland Presbyterian Church.

PRESBYTERY.—The space in which the high altar is placed in the church; sometimes the name is applied to the whole choir.

PRESBYTERY.—A term used in Scotch Law to signify an ecclesiastical division of the county, usually consisting of from 30 to 40 parishes.

PRESCRIPTION. *prescrip-shun* (Lat. *prescribere*, I set down authoritatively).—In Law, is a title acquired by use and time, and allowed by law. This title applies only to incorporeal

hereditaments; lands and corporeal rights being provided for by the Statutes of Limitation. The title of prescription was well known to the Roman law by the name of *usucapio*. It is founded upon the presumption, that he who has had the quiet and uninterrupted enjoyment of a thing for a long period of years, may be supposed to have a just right to it. The period which gives prescriptive right has varied at different times. Anciently, the law required that the right claimed should have existed undisturbed from time immemorial, or, as the phrase is, "from time whereof the memory of man runneth not to the contrary." (See LIMITATION.) The difference between prescription, custom, and usage is, that prescription hath respect only to one person, or a few; custom is local, and applied always to a certain place; while usage may apply either to persons or places. A custom and prescription are in the right, usage is in the possession.

PRESENTATION. *prez-en-tai-shun*.—In Ecclesiastical Law, is the offering of a clerk, by the patron or proprietor of an advowson, to the bishop or ordinary. It differs from nomination in this, that while presentation signifies the offering a clerk to the bishop for institution, nomination signifies offering a clerk to the patron, in order that he may be presented. Formerly, presentation might have been done either by word or writing; but since the Statute of Frauds (29 Car. II. c. 3), it is necessary that all presentations be in writing; and a presentation in writing is a kind of letter, not a deed, from the patron to the bishop of the diocese in which the benefice is situated, requesting him to admit to the church the person presented. No person can present himself, and the person presented must be in priest's orders. When the ordinary declares his approval of the presentee as a fit person to serve the church to which he is presented, he is said to be admitted; after which follows his institution or collation.

PRESENTMENT. *pres-ent'-ment*.—A term used in English Law, and applied to the formal representation of the finding of an indictment by a grand jury; the representation by churchwardens to the ordinary of the state of the parish; a representation by the Court of Quarter Sessions of the omission of repairs of public works, &c., and when used with reference to bills of exchange, it is the formal demand made by the creditor to the debtor summoning him to pay the bill or accept it. (See BILLS OF EXCHANGE.)

PRESES OF MEETING. *pres'-ees*.—The term applied in Scotland to the chairman or president of a meeting. In voting he has only a single vote, and not a casting vote unless when, according to the nature of the meeting held, an Act of Parliament gives it him.

PRESIDENT. *pres-i-dent* (Lat. *præses*, from *præsidere*, I am set over).—An officer appointed or elected to preside over an assembly, a tribunal, or a republic. The chief executive officer of the United States bears this title, and the second executive officer, the vice-president, is by virtue of his office president of the Senate, and succeeds to the office of president on the death or disability of the regular incumbent during his term. The president holds office for four years, from the 4th of March next after his election. He must be a native of the United States, at least thirty-five years of age, and is

chosen by electors who are themselves chosen by the people of each state, the number of electors being equal to the number of senators and representatives to which the state is entitled. The president is invested with great powers, which are fixed by the constitution. He is commander-in-chief of the army and navy of the United States, and of the militia of the several states when called into the actual service of the Union. Every bill which passes Congress must obtain the president's signature, unless confirmed by two-thirds of each house after his objection. He has power, by and with consent of two-thirds of the Senate, to make treaties, and he nominates, and with their consent appoints, ambassadors, and other public ministers and consuls, judges of the Supreme Court, and all other officers whose appointments are not otherwise provided for. He receives ambassadors and other public ministers, and takes care that the laws are faithfully executed. He may convene both houses on extraordinary occasions, and in case of disagreement between them as to the time of adjournment, may adjourn them to such time as he shall think proper. He can be removed from office on impeachment for and conviction of high treason, bribery, or other high crimes and misdemeanours. His salary is 50,000 dollars: until 1873 it was 25,000 dollars.

PRESSING TO DEATH.—A mode of punishment. (See *PEINE FORTE ET DURE*.)

PRESUMPTION, *pre-sump'-shun*.—In Law, an inference drawn from the circumstances of the case, and usually used as a starting-point in a litigation or argument. Thus, in the case of a man being in possession of goods, the *presumption* is that he is the owner until the contrary is proved. Again a man is *presumed* to be innocent until he is proved guilty. If a person disappears, he is *presumed* to be living up to a certain time, thus his wife may consider herself a widow after the lapse of seven years. Presumptions are found in all departments of the law, and are usually divided into *presumptio juris*—those presumptions which may be proved to the contrary—and *presumptio juris et de jure*, those presumptions which cannot be rebutted by contrary evidence, but of these there are few instances.

PRETENDER, *pre-ten'-der*.—An epithet applied to the son and grandson of James II., who pretended to the throne of England.

PRIEST, *preest* (Fr., *prêtre* or *prestre*, from Lat., *presbyter*; Gr., *presbyteros*, elder).—One set apart for the performance of religious offices and ceremonies, and, in particular, for the performance of sacrifices. The corresponding word in Latin is *sacerdos*, in Greek *hierues*. The necessity of a priesthood, or a class of persons set apart for the performance of religious rites and ceremonies, and to stand, as it were, intermediate between the people and Deity, has been believed and acknowledged by almost every people, pagan as well as Christian. The patriarch of the primitive world was priest as well as king in his own house; and when the state was developed from the family, the royal and priestly offices still continued, for a time, to be united in the same person. As states enlarged, and the duties of the king were increased, a separate order for the priesthood grew up, in some countries elective, in others hereditary; and, by the reputation of superior wisdom and secret communion with the gods, inspired the mind with awe, and

acquired great honour and influence. The Mosaic law established a special priesthood, consisting of three orders: the high-priests, the priests, and the Levites, all of them taken from one tribe—that of Levi. The priesthood was made hereditary in the family of Aaron; and the first-born of the oldest branch of that family, if he had no legal blemish, was always high-priest. Among the ancient Greeks there was no general priesthood, but only the priests of the several deities, who slaughtered the victims, and who often secured a powerful influence, as interpreters of the will of the deity which they served. Among the Hindoos of India, the priestly system is very fully developed; the Brahmins, who preside over sacrifices and divine services, being possessed of great power and influence. In the Christian system, Christ is represented as the one priest, who, for the redemption of the world, offered the one sacrifice—that of himself. In the primitive Church this doctrine was fully adhered to, and the duty of the priest was only to expound the divine word and exercise a paternal care over his people, without the performance of any pompous rites or ceremonies. As the distinctive features of Romanism came to spring up, the character of the priesthood changed, and the mass acquired the character of a propitiatory sacrifice. The Roman Catholics and the Eastern churches maintain that the sacrifice of the cross was to be continued and kept present in the Church, through appointed representatives and vicegerents of Christ, who, for that purpose, continue and partake in the priestly character of Christ and his mediatorial office between God and man. The other Christian denominations deny that there is any other real priest but Christ, and only regard the clergy as the teachers and servants of the Church, who, being divinely called and properly appointed, possess certain ecclesiastical rights, and undertake certain duties, which they derive partly from divine and partly from human law. In the English Church, the word priest denotes the second degree of ministers, for admission to which the candidate must be twenty-four years of age complete.

PRIMATE, *pri'-mai* (Lat., *primus*, first).—In the Christian hierarchy is a title of honour given to certain bishops of a province who preside over the rest. In the English Church the Archbishop of Canterbury is styled Primate of all England, the Archbishop of York Primate of England; while in Ireland, the Archbishop of Armagh is Primate of all Ireland, the Archbishop of Dublin Primate of Ireland.

PRIME, *pryme*.—The first of the "lesser hours" of the Breviary. (See *BREVIARY*, *CANONICAL HOURS*, &c.)

PRIMER, *prim'-er* (Lat., *primarius*).—A book of primary or elementary instruction. As at first used, it seems to have generally conveyed the notion of religious instruction; and the earliest primers contained lessons taken from the Creed, the Lord's Prayer, the Ten Commandments, or from some other common formula, with short and easy explanations for the use of young beginners, or for private devotion. Hence the term came sometimes to be used as analogous with prayer-book. In 1527, the "*Primer of Salisbury Use*" was published; in 1535, "*A Goodly Primer in English*"; in 1539, "*Manual of Prayers, or the Primer in English*"; and in 1545, "*Henry VIII's Primer*."

PRIMOGENITURE, *pri-mo-jen'-e-ture* (Lat., *primogenitus*, firstborn).—In law, is priority of birth, in virtue of which the firstborn son in a family is among most nations entitled to a certain superiority or preference among his brethren. Among the ancient Jews, the eldest son was consecrated to the Lord, had a double portion of the inheritance, and succeeded in the government of the family or kingdom. Among the Romans, the "insolent prerogative of primogeniture," as Gibbon terms it, was unknown, the sons and daughters being all entitled to share equally in the patrimonial estate. Among the states of Europe which, after the decline of the Roman empire, adopted the laws of that country, a similar system prevailed; and hence in France we find that under the first two races of kings the eldest son shared equally with his brothers; and it was not until the Capets came to the throne, that the prerogative of succession to the crown was reserved exclusively to the firstborn. The lords promptly imitated the kings, and secured their fiefs to their eldest sons, and thus founded in France the *droit d'aînesse*. The system of primogeniture as it at present exists doubtless is mainly owing to the feudal system. It was found necessary, in order to preserve the dignity of the nobility and to render the military service, which was the basis of the system, certain and efficient, to have the fiefs or fees indivisible. Thus the eldest son came universally to succeed to the whole of the lands in all military tenures. The feudal system was established in England by William the Conqueror, before whose time the descent of land was to all the sons alike, remains of which we find still existing in Kent and a few other parts of the country. The right of primogeniture does not exist in the case of personal property, nor among females, except as to the inheritance of the crown. In France and Belgium, primogeniture has been abolished, and in most European countries, except England, the tendency is to abolish the system. According to the law of England, if a man dies, seized of real estate of which he had the absolute ownership, without having made any disposition of it by will, the whole descends to the heir-at-law, who by primogeniture is the eldest male person of those who are in the same degree of kindred to the person dying, or the representative of such eldest male.

PRINCE, *prins* (from the Lat., *princeps*, first, leader, or foremost).—This designation was used originally to denote the *princeps senatus* of the Roman state. In the course of time the name became a title of dignity, and Augustus and his successors having adopted it, it was employed henceforward to denote the master of the Roman world. By-and-by the term prince came to be applied to individuals having personal pre-eminence, such as the princes of Wales; and it is now, in England, entirely restricted to persons of the blood-royal. On the Continent, the term is employed in a somewhat arbitrary manner, possessing none of the definiteness which belongs to such words as king, duke, marquis, &c., but rather to denote persons of eminent rank; and in Germany this title ranks below that of duke.

PRINCIPAL AND AGENT.—In law, a principal is one who appoints another to act for him, and the acts of the person so appointed, who is called the agent, binds his principal, so that the principal can be sued by persons dealing with the agent. (See AGENT.)

PRINCIPAL AND SURETY. (See SURETY.)

PRIOR, *pri'-or* (Fr., *prieur*).—The head of a convent of monks, but inferior in dignity to an abbot. His convent is called a priory. Where he is under an abbot, he is called a claustral prior.

PRISONS, AND PRISON DISCIPLINE, *pri'-on* (Fr., from *pris*, taken).—Terms of ever-widening import, and now include nearly every department of punishment in this country and throughout Europe. The reformatory is a species of prison, and transportation is now almost unknown, imprisonment being adopted in its stead. The true object of punishment is the prevention of crime; and there exists a great latitude of choice in the means by which this object is to be attained. In ancient, and even in more recent times, and among the most civilized of nations, the punishments enforced were characterized by undue severity, and carried out with little regard to the feelings or reformation of the criminal himself. There was no regular system of punishment established as we now have it; civil liberty was held cheap, and even life itself was not set high value upon. The prison, as we now know it, is entirely an institution of modern Europe, like the church, the school, and the poor-house. Long after the period of the Middle Ages, the cruelties enacted against unfortunate prisoners were of the most revolting character. To the philanthropic labours of John Howard, the world is indebted for inaugurating a better state of things. Nor did he confine his exertions to his own country, but extended his labours throughout the length and breadth of Europe. One of the first fruits of Howard's labours was the passing of an Act, in 1773, for improving the sanitary condition of gaols. Another Act, of the same year, abolished the payment of prison fees. The prisons were found to be badly ventilated and very filthy, and to be very frequently the seat of that terrible disease, the gaol-fever; the gaol-keepers, often, for money, permitted the grossest crimes to be committed within the prison walls; and the most hardened criminals and those comparatively innocent, and even persons falsely accused, were placed together, without employment, in a common room. Attempts were made to remedy these evils by building better-arranged gaols, which, by isolation of the prisoners, ventilation, and thorough purification, should prevent such disastrous results; but the improvement was of slow growth. Early in the present century, Mrs. Elizabeth Fry commenced her mission to the female prisoners in Newgate; and in 1818, Mr. (afterwards Sir T. F.) Buxton published his "Inquiry whether Crime and Misery are produced or prevented by the present system of Discipline." From this work it appears that, notwithstanding the exposures of Howard and Mrs. Fry, many of the abuses complained of still continued, and some of them had even increased. The Millbank Penitentiary, which has now accommodation for 1,300 prisoners, was begun in 1819; and in 1822 a committee was appointed to revise the whole of the law relating to gaols in England and Wales; and the Act 4 Geo. IV. c. 64, which is still the leading statute for English local prisons, was passed. It provides that there shall be maintained one common gaol at the expense of every county of England and Wales, and at least

one house of correction at the expense of every county, and of every riding or division of a county having a distinct commission of the peace; and one gaol and one house of correction in the several cities, towns, and places specified in the said act. Every prison must have a resident keeper, and a resident matron to superintend the female prisoners; the keeper, as far as practicable, to visit every ward and see every prisoner, and inspect every cell, at least once in every twenty-four hours. Provision is made for the religious instruction, and instruction in reading and writing, of prisoners of both sexes. The male and female prisoners are confined in separate parts of the prison, and not allowed to see or hold any intercourse with each other; and the prisoners of each sex are further divided into distinct classes, which are not allowed to intermix with each other. Provision is also made for each prisoner having as much air and exercise as may be deemed proper for the preservation of health. Due provision is also made in every prison for the enforcement of hard labour for those sentenced thereto, and for the employment of the other prisoners. A surgeon is appointed to each of the prisons, whose duty it is to visit the same at least twice in every week, and oftener if necessary, and to see every prisoner therein. In 1835, 5 & 6 Wm. IV. c. 38, was passed, giving the secretary of state power to revise and alter the rules of all prisons, and providing for the appointment of inspectors to inspect and report periodically upon all places in which persons can be legally confined. The Parkhurst prison, for juvenile offenders, was erected in 1838. In 1842, after much deliberation and inquiry, the plan of the prison of Pentonville was determined upon, as calculated to meet all the requisites of prison discipline which the science of the age had devised. Government prisons have since been erected at Portland, Portsmouth, Dartmoor, Chatham, Bristol, Brixton, Woking, and Wormwood Scrubbs, while there are also prisons at Fulham and Woking for female convicts. The hulks of men-of-war laid up in ordinary were, for a time, used as prisons, but have now been abandoned as every way objectionable. Scotland, once much worse than England in the abuses of her prisons and the laxity of their discipline, has, since 1839, been thoroughly reformed. In Ireland great improvement has been effected since 1826, in consequence of the passing of the act 7 Geo. IV. c. 74. The questions which have been more particularly agitated of late years, in regard to prison discipline, are chiefly respecting solitude, silence, and labour. The Friends in Philadelphia, in their endeavour to abolish some of the more cruel and injudicious modes of punishment then practised, and to do away with capital punishment, had recourse to the system of solitary confinement, without occupation or intercourse with any person. The idea was gladly seized upon by the other states, and prisons on this system were erected in various parts; the most celebrated of which was that of Auburn, in the state of New York. The solitary system was here carried out with the most disastrous results, resulting in ill-health and insanity, and driving several to commit suicide. This having failed, the second great experiment in prison discipline was resorted to—the silent system. The principal establishment where this system was carried out to its full extent was the penitentiary of Sing-Sing, in the state of New York. The prisoners were still

confined in separate cells at night, but during the day they worked together in large rooms, without, however, being allowed to exchange a single word or even a glance with any of their companions. Any infringement of these rules was followed by the immediate infliction of corporal chastisement, and the humblest officer in charge of the criminals was vested with the power of inflicting it; and against their acts no appeal was allowed to any of the prisoners. It was, however, found impossible to prevent communications from passing among the prisoners, even by the utmost strictness and watchfulness; and hence the system has generally been given up. The value of labour as an element of prison discipline is so great, that it is matter of wonder that it was not adopted long ago. In some countries, the labour is what is termed productive, but in this country it is generally unproductive. The "hard labour" of our prison discipline was formerly the treadmill—a great cylindrical wheel turned on its axis by the tread of a number of prisoners. Now the crank is generally adopted—a small flaked wheel, a little like the paddle-wheel of a steam-vessel, revolving within a box, which is partly filled with gravel, and turned by the prisoner with a handle outside. The advantage of this over the old treadmill is that it can be regulated to the strength of the individual, and it has a register for recording the number of revolutions. The system now generally adopted in this country is a combination of the labour, and a modification of the solitary system, known as the separate system, which provides a cell or room for each prisoner, where he is visited from time to time by the teacher, clergyman, discipline officers, &c., the object chiefly being to secure the criminals from contaminating each other. One of the most hopeful signs of modern criminal legislation is the increased attempts made for the reformation of the criminal. The Crofton system which, with slight modifications, the public opinion of the civilized world is now regarding with considerable favour, consists of three stages—a penal stage of separate imprisonment, continuing eight months; a reformatory stage, longer or shorter, according to the length of the sentence; and a testing stage, designed to verify the reforming influence of the preceding discipline. In fact, the Crofton system may be defined as an adult reformatory, in which it is endeavoured to bring the will of the prisoner into accord with the will of the reforming prison-keeper, until virtue has become a habit, and the prisoner is so taught and trained that on his release he may lead an upright, honest life. The whole of the prisons are under the Prison Department of the Home Office. (See REFORMATORIES, PENAL SERVITUDE, TRANSPORTATION.)

PRISONERS OF WAR.—Persons captured from the enemy during naval or military operations. In former times they were treated with great severity, often being put to death, or kept in slavery, but about the 13th century the more humane practice of exchanging them came into operation. In modern days it is unusual to subject them to even penal discipline.

PRITHU, *pry-thoo*.—The name of several traditional Hindu kings.

PRIVATE, *pry-vate*.—A name given to an ordinary soldier, either cavalry or infantry, in the British Army, a man of the same rank in the artillery being called a gunner.

PRIVATEER, *priv-a-teer'*.—A vessel of war, owned and equipped by private individuals, to seize or plunder the ships of an enemy. Such vessel, however, must be licensed by Government to that effect, or else is a pirate. Privateers are in naval warfare much the same as volunteer corps are in the land service. In both cases, the commissions proceeding from the sovereign make those who bear them the instruments and servants of the State. (*See* LAW OF NATIONS.)

PRIVILEGE, LAW OF, *priv-el-edge*.—In former days many individuals, or classes of individuals, enjoyed certain immunities from or rights beyond the common provisions of the law. Many of these are now abolished, not only in Britain, but throughout Europe.

PRIVILEGED DEBTS.—Such debts as are first paid, thus in case of bankruptcy servants' wages are so privileged as to be first paid out of the estates of the bankrupt.

PRIVILEGED DEEDS.—Holograph deeds which are exempted from the law, which requires deeds to be signed before witnesses.

PRIVY CHAMBER, GENTLEMEN OF THE.—Certain officers of the royal household, whose duty it is to attend on the Sovereign. Their office was instituted by Henry VIII.

PRIVY COUNCIL, *priv'e*.—An assembly of State advisers, unlimited in number, and appointed by the will of the Sovereign, on whose nomination alone, after taking the prescribed oath, the appointment is completed. The sole qualification required is that the party to be appointed should be a natural-born subject of Great Britain. The dissolution of the Privy Council, or the dismissal of any individual member of it, depends upon the will of the Sovereign. Its natural duration is for the life of the Sovereign, and is continued for six months longer, unless dissolved by the successor. The Privy Council seems to have been intended at one time as a sort of check upon royal authority, and at first it consisted of about twelve members. The number is now unlimited, and it comprises most of the principal officers of State; but the usage is for no member to attend the deliberations of the Council that has not been specially summoned for that purpose. The duties of a Privy Counsellor are, to the best of his ability, truly and impartially to advise the Sovereign, and for his honour and the public good; to keep the Sovereign's counsel secret; to avoid corruption; to keep and strengthen the execution of what shall be there resolved; to withstand all persons that would attempt the contrary; to observe, keep, and do all that a true and good Counsellor ought to do to his Sovereign. Under various Acts of Parliament, Parliament has delegated to the Queen in Council the power of making certain orders and regulations, which have the force of laws. In colonial matters, the authority of the Queen in Council is very extensive; and nearly every act done by the Sovereign in person is done in Council. A considerable proportion of the ordinary business of the Council is transacted by Committees of Council, to which petitions and other matters are referred by the Queen in Council. The members of the Privy Council are entitled to the prefix of "Right Honourable," and rank next after the Knights of the Garter, and above the judges and baronets. The Cabinet

(which *see*) now absorbs many of the functions of the ancient Privy Council.

PRIVY PURSE, KEEPER OF THE.—An officer (independent of State affairs) of the royal household, whose duty is to pay the private expenses and charities, &c., of the Sovereign.

PRIVY-SEAL.—The seal impressed on documents of minor importance which do not require the Great Seal, and also on grants called "letters patent," which have afterwards to pass the Great Seal.

PRIZE, *prize* (Fr., *priser*, from *pris*, price).—Is applied to anything captured in virtue of the rights of war, but more especially to captures made at sea. The right of belligerents to capture the property of their enemies upon the sea is admitted, as well as their right to prevent any frauds or violations of the law of nations on the part of neutrals. The rights, however, are limited, and must be so exercised as not to encroach upon the independence or rights of other nations. It is evident that many nice questions must in such cases necessarily arise between different States; and hence arises the necessity of having some tribunals to whom they may be referred. Accordingly, it is settled as a part of the law of nations that every belligerent has a right to establish prize courts to examine into all maritime captures, and judicially to decide upon their validity. The prize courts of the captors have exclusive jurisdiction over all matters touching captures made under the authority of their Sovereign; and the courts of other nations have no jurisdiction or authority to inquire into, or to adjudicate upon them. The final sentence, when pronounced, is deemed the act of the Sovereign, and he becomes responsible to all foreign nations for its correctness. (*See* LAW OF NATIONS, OR INTERNATIONAL LAW.)

Prize-money, *prize-mun'e*, is the name given to the proceeds of property captured from an enemy. By 2 and 3 Wm. IV. c. 53, all former Acts relating to army prize-money have been repealed, and the law consolidated and amended. This statute enacts that all captures hereafter made by the army shall be divided according to such general rules of distribution as the Sovereign shall direct. Deserters are not to be entitled to prize-money, and shares not claimed within six years after being paid, as directed by the Act, to the treasurer of Chelsea Hospital, are declared forfeited, unless upon good cause shown and allowed.

The Prize-Court of the Admiralty is the proper court for deciding on matters concerning these prizes.

PROBABILISM, *prob-a-bil-izm*.—A term in Roman Catholic theology signifying the doctrine of so-called "probable opinions"—i.e., that as absolute certainty as to the lawfulness or unlawfulness of human actions is assumed to be not always attainable, men must be guided by what the learned theologians assert to be the probability of its lawfulness. Protestants and many Roman Catholics reprobate probabilism entirely, asserting that no man should do anything if he doubts its morality or lawfulness.

PROBABILITY, MATHEMATICAL THEORY OF, OR THE CALCULUS OF PROBABILITIES.—This theory may be defined as the application of mathematical reasoning to the art of judging, where no absolute but only probable evidences can be obtained.

PROBATE, *pro-bat'* (Lat., *probatio*, from *probo*, I prove).—In law, is the proof before competent authority that an instrument purporting

to be the last will and testament of a person deceased is indeed his lawful act. The granting of probate of the wills of testators, and of letters of administration of the effects of persons dying intestate, were formerly the prerogative of the ecclesiastical courts, but have been recently vested in a newly-established court (20 and 21 Vict. c. 77), called the Court of Probate.

PROBATE, COURT OF.—A tribunal recently established by 20 and 21 Vict. c. 77, amended by 21 & 22 Vict. c. 16, exercising functions which formerly belonged to the ecclesiastical courts. It being found that in matters of wills and intestacies, the ecclesiastical courts did not act so effectively, expeditiously, and cheaply, as the interests of justice required, this new court was instituted with, in general, and except as otherwise provided by the act, the same powers and duties in those matters as had antecedently belonged to the principal court for wills and administrations. Its duties are thus confined to judging of the authenticity of wills, and deciding upon the proper persons to whom letters of administration are to be granted where there is no will. The court is presided over by a single judge, described as the "Judge of the Court of Probate," who sits at Westminster, and from whose decisions there lies an appeal to the House of Lords. In connection with this court, and under its control, there are district registries established throughout the country, over each of which a district registrar presides, and wills may be proved, and administrations granted, at the registry of the particular district where the testator or intestate had a place of abode at the time of death, without resorting to the principal court, where the business is in *common form*, involving no contention as to the right of proof or grant.

PROBLEM, prob'-lem (Gr., *problema*, from *proballeo* I put forward).—Strictly and literally, something put forward or proposed. In Geometry, it denotes something which requires to be done, in opposition to a theorem, which is something to be proved. In Logic, it is a proposition that appears neither absolutely true nor absolutely false, and consequently may be asserted either affirmatively or negatively; and hence it has come in general to be applied to any question involving doubt or uncertainty, and requiring further evidence for its solution.

PROCESS, pro'-sess (Lat., *processus*, from *procedo*, I go forth).—In Law, in its original and most comprehensive sense, denotes the whole of the proceedings in any action, civil or criminal, real or personal, from the beginning to the end. In its more ordinary and limited sense, it is applied to the writs which issue out of any court for the purpose of compelling the parties to a suit, or others, to do some act connected with the progress of the suit. In civil suits, the process was till recently divided into three classes; the original process, now known as writ of summons; the *meane*, or intermediate process, which issues between the first writ and final judgment; and the final process, a term applied to express writs of execution.

PROCES VERBAL, pro'-sai ver'-bal.—In French jurisprudence, this term signifies a memorandum or instrument drawn up and attested by officers of justice, containing a detailed statement of the circumstances which have taken place upon the execution of a commission, upon

an arrest, upon a precognition or preliminary examination of a party accused, or in the course of other legal investigations, and set forth in the order in which they have occurred. The term is now frequently applied to a contemporaneous detailed minute or note of any formal proceeding, though not occurring in the course of any legal inquiry; such as a note of the discussions which are taking place during the negotiation of a treaty.

PROCESSION OF THE HOLY GHOST.—The doctrine that, as in the blessed Trinity, the Son proceeds from the Father, so the Holy Ghost proceeds from the Father and the Son, "but as from one principle."

PROCESSIONAL, pro'-cess'-shun-al.—The service book which gives the prayers, hymns, &c., of the different processions, &c., in the celebration of public worship. The processional ordinarily used is that of Rome.

PROCESSIONS, RELIGIOUS.—These are important elements in the service of the Roman Catholic Church. Occasionally they take place through the streets of the city; but more frequently are confined to the aisles of the church. Banners, crosses, and images are carried in front, the clergy follow, and the people make up the rear; meanwhile hymns being sung, or prayers recited. Processions are a prominent feature in Buddhist ceremonies, and were also common among the Romans and Greeks, and less frequently among the Jews.

PROCHEIN AMY, pro'-shain(a) a-mi' (Lat., *proximus amicus*).—In Law, is the nearest friend or next of kin to a child in his nonage, who in that respect is allowed to act for him, and be his guardian, &c.

PROCLAMATION, prok-la-mat'-shun, (Lat., *proclamatio*, from *proclamo*, I proclaim or give forth).—A notice publicly given of anything of which the sovereign thinks proper to advertise his subjects. By the law of England, the issuing of proclamations is an exclusive prerogative of the crown, and must be under the great seal; they are binding upon the subject, where they do not either contradict existing laws or tend to establish new ones, but only to enforce those already in existence. Royal proclamations are of several kinds. Some are merely authoritative promulgations of matters of state, or of acts of the executive government, which it is necessary to make publicly known; others declare the intention of the crown to exercise some prerogative, or to enforce the execution of some law.

PROCONSUL, pro-kon'-sul.—The Roman magistrate and governor of a province; usually he had already served as a consul.

PROCTOR, prok'-tor (Lat., *procurator*, from *pro*, for, and *cura* care).—In Law, in a general sense, denotes one who is commissioned to manage the affairs of another; but it is strictly applied to those who, in the Ecclesiastical and Admiralty courts, conduct the business of their clients, as attorneys and solicitors in the other courts. Recent acts of Parliament have taken away the exclusive rights of this body, and opened up to barristers, attorneys, and solicitors, the practice of the Ecclesiastical and Admiralty courts. (Proctors in the universities, see OXFORD and CAMBRIDGE.)

PROCURATOR FISCAL, prok-u-rai'-tor

—The public prosecutor in the inferior or sheriff courts in Scotland, under the instructions of the Lord-Advocate, who is the principal public prosecutor.

PROFIT. (See **POLITICAL ECONOMY.**)

PROGRESS OF TITLES.—The series of conveyances by which an owner of lands holds or proves his right to property.

PROGRESSION, *pro-gress-shun.*—In Arithmetic, the succession of one number after another, according to a fixed law.

PROHIBITION, *pro-hib-ish'-un* (Lat.).—In Law, is a writ to prohibit a court, and parties to a cause then depending before it, from further prosecution thereof. This writ issues properly only out of the court of Queen's Bench; but in certain cases it also issues out of the courts of Chancery, Exchequer, and Common Pleas, and is addressed to any inferior court of common law, or to the courts of the counties palatine, to the county courts, or courts baron, or to the courts Christian or Ecclesiastical, the university courts, the court of Chivalry, or the court of Admiralty, where they concern themselves with any matter not within their jurisdiction, or where they transgress the bounds prescribed to them by the laws of England. The party aggrieved in the court below applies to the superior court, setting forth the nature and cause of his complaint; and this used formerly to be done by filing, as of record, what was called a suggestion, containing a formal statement of the facts; but now (by 1 Wm. IV. c. 21) an application for a writ of prohibition may be made by affidavit only—that is, in the way of an ordinary motion, by a rule to show cause—upon which, if the matter alleged appear to the court to be sufficient, the writ of prohibition immediately issues, commanding the judge not to hold, and the party not to prosecute, the plea.

PROLETAIRES, *pro'-le-tares.*—A term taken from the French, and used to denote the poorest and lowest classes of the community.

PROMISE.—In Law, one side of an agreement, either in writing and not under seal, or by word of mouth, to perform certain things. In England, a promise cannot be enforced at law, unless some consideration was given for it, but it can in Scotland, if the promise was deliberately made.

PROMOTION IN THE ARMY AND NAVY. (See **ARMY AND NAVY.**)

PRONAOS, *pron-a'-os.*—The space before the cell of a temple.

PROOF. (See **EVIDENCE.**)

PROPAGANDA, *prop-a-gan'-da* (from Lat.).—A designation given to those institutions by which Christianity is propagated in heathen countries; but is more particularly applied to certain institutions established by the Papacy for the extension of its religion, and power throughout the world. The Propaganda, strictly so called, or *Congregatio de propaganda Fide* (Congregation for propagating the Faith), was founded at Rome in 1622, by Gregory XV., having for its object the extension of the Catholic faith and the extirpation of heretics. It consists of a board of cardinals, and has a secretary, who is generally a bishop or archbishop, and a number of priests, advisers, and under-secretaries, who meet for

consultation weekly. The cardinal prefect of the propaganda is the Pope's representative in all matters relating to foreign missions. In 1627, Pope Urban VIII. added to the congregation a college for the education of priests for the missionary work; and here young men from all parts of the world (except Catholic countries) are educated. Connected with the Propaganda is a printing establishment, celebrated for the number of works in different languages which it has sent out.

PROPERTY-TAX. (See **TAXATION.**)

PROPHECY, *prop'-e-se* (Gr. *propheteia*, from *propheti*, I predict).—Defined to be "a knowledge and manifestation of secret things, which a man knows not from his own sagacity, nor from the relation of others, but by an extraordinary revelation of God from Heaven." It is thus generally and properly restricted to those predictions which are to be met with in the Sacred Scriptures. In Hebrew, the word translated prophet properly signifies inspired, and a prophet was, therefore, one who spoke by divine inspiration. The principal function of the prophets of the Old Testament was to keep up the intercourse between God and his people; and hence their prophecies are frequently called the words of Jehovah. They announced the will of God towards his people, directed them on the right path, reproved their iniquities, and pointed out to them in the future the consequences of their transgressions. The language in which they predicted future events is necessarily in general obscure, for their object was not to gratify human curiosity with respect to the future, but rather to give weight to their teaching, so that when the time of their fulfilment came, people might know that their inspirations were of God. The ways by which the Deity made known his will were various: as by dreams, visions, angels, symbolic representations, impulses on the mind. Many writers, especially within the last hundred years, have attempted to explain away the divine character of the prophecies, by attributing them to a high degree of religious enthusiasm and ecstasy, or a kind of spiritual clairvoyance. Others, again, as Dr. Williams in the "Oxford Essays and Reviews," deny their prophetic character, and maintain that the very few cases that can claim to be strictly prophetic "tend to melt, if they have not already melted, in the crucible of free inquiry," leaving only certain "deep truths and great ideas." These views, however, are rejected by the great majority of theologians, who maintain that it is contrary to the plain intent of the Old Testament, and opposed by the testimony of Christ and his apostles in the New. "The very course of history," says Tholuck, "has impressed upon these declarations the stamp and confirmation of an objective and supernatural inspiration." The great prophetic era extends from the time of Samuel to the Babylonian captivity, during which time hardly an important event happened in which they do not appear as performing a leading part. Schools of the prophets are mentioned as existing in various places, and Samuel, Elijah, and Elisha, as principals of such institutions; their pupils being frequently designated the "sons of the prophets." About a hundred years after the return from the Babylonian captivity, the prophetic profession ceased, and Haggai, Zechariah, and Malachi are uniformly mentioned by Jewish tradition as the last of the prophets.

The New Testament mentions the power of prophecy as one of the gifts of the Holy Spirit, and the Book of Revelation bears a marked prophetic character.

PROPHETS, BOOKS OF THE, *prof-etc.*—An important part of the Old Testament Scriptures. The Jews included in this class the books of Joshua, Judges, Samuel, and Kings, but excluded the book of Daniel, as he did not strictly belong to the class of the prophets. Modern biblical critics, however, exclude these four books, and include that of Daniel. They are divided into four great and twelve minor prophets: the former being Isaiah, Jeremiah, Ezekiel, and Daniel; the latter, Hosea, Joel, Amos, Obadiah, Jonah, Micah, Nahum, Habakkuk, Haggai, Zechariah, Zephaniah, and Malachi.

PROPORTION, *pro-por'-shun* (Lat., *proportio*).—In Mathematics, is the equality of two ratios. There are two methods by which the comparison of two magnitudes may be effected. First it may be determined by how many units one is greater than the other (*difference*); secondly, one magnitude may be taken as the measure of the other, and it may be determined how many times it is contained in it (*quotient*). The former relation is called an *arithmetical proportion*, and the latter a *geometrical proportion*. In the arithmetical proportion, the difference, and in the geometrical, the quotient, are called the *ratio* of the proportion. Each proportion consists of four terms,—two *extremes* and two *means*. In every arithmetical proportion the sum of the extremes is equal to the sum of the means; and in every geometrical proportion the product of the extremes is equal to the product of the means. Thus in an arithmetical proportion either extreme or mean can be found by subtracting the given extreme or mean from the sum of the given means or extremes; and in a geometrical proportion by dividing the product of the means or extremes by the given extreme or mean.

PROROGATION, *pro-ro-ga'-shun*.—The suspension or rather the postponement of the sitting business of Parliament. This is virtually accomplished by the Cabinet in the name of the Sovereign, and is signified to Parliament in the presence of the Sovereign, by the Lord Chancellor in the Lords, to both Houses; and if the Sovereign should not be present, by a writ under the privy seal or by commission. As a prorogation quashes all bills which have not been passed into law, a prorogation has sometimes been resorted to for one day, in order to allow a bill to be re-introduced. A notable instance of this was, when William III. prorogued Parliament from 21st to 23rd October, to renew the Bill of Right.

PROSECUTION, *pro-se-cu'-shun*.—Technically, this word means the institution of legal proceedings against any person, although the word is often applied to all kinds of litigation. There are two ways in which a prosecution may be commenced in England: the one is to apply to a magistrate for a *warrant* for a person to appear and answer to a charge, and another is to cause a person to be arrested and brought before a justice of the peace. If a person has been wrongfully and maliciously arrested, he may bring an action for damages.

PROSECUTOR, *pro-se-cu'-tor*.—One who institutes legal proceedings against another to punish him for a crime. (See *PROSECUTION*.)

PROSECUTOR, PUBLIC, OR DIRECTOR OF PUBLIC PROSECUTIONS.—By an act passed 3rd July, 1879, a Director of Public Prosecutions was appointed, whose duty is to institute legal proceedings against certain offenders. Office, 34 Spring Gardens.

PROSELYTE, *pros'-e-lite* (Gr., a stranger, new-comer).—Is one who changes his religion, giving up one and adopting another. The term is not classic Greek, but it occurs in the New Testament and in the Septuagint, and was used almost exclusively among the Jews. They distinguished two kinds of proselytes,—the proselytes of the gate and the proselytes of justice or righteousness. The former feared and worshipped the true God, without adopting circumcision or any of the other ceremonies of the law. They were allowed to dwell in the land of Israel, and through holiness might have hope of eternal life. The latter received circumcision and observed the whole law of Moses, and were admitted to all the prerogatives of the people of God.

PROSERPINA, *pros'-er-pin-a*.—In Grecian mythology, the spouse of Pluto, who was the king of Hades. According to Hesiod, she was carried off by "Gloomy Dis" while gathering flowers on the plains of Enna in Sicily. Homer, however, simply speaks of her as the wife of Pluto and queen of the under-world.

PROSPECT, *pros-pekt'*.—In Roman Law, a right that no other person could obstruct the "prospect" from a man's house, but if this meant more (which seems uncertain) than that the light should not be obstructed from a man's house, it is not recognised in English law.

PROTECTION, PROTECTIONISTS, *pro-tek'-shun-ists*.—A name given to a section of the Conservative party which opposed the repeal of the corn-laws. A society established for the "protection of agriculture," as a counteractive of the "Anti-Corn-Law League," gave rise to the name of this party. They separated from Sir Robert Peel in 1846, and their leader, till his death in 1848, was Lord George Bentinck. The society was dissolved in 1853.

PROTECTOR, *pro-tek'-tor*.—The name given at different periods of English history to the person who had the care of the kingdom during the minority of the sovereign. Oliver Cromwell, also, took the title of Lord Protector of the Commonwealth in 1653.

PROTESTANT, *prot'-es-tant*.—The general name applied to all classes of Christians except the Roman Catholic and the Eastern churches. The name originated in Germany in 1529, when at the diet of Spire the reformed party protested against a decision of the majority that no changes should be introduced into the doctrine, discipline, or worship of the established religion till a council should be held and its determination made known. They protested against the authority of secular or ecclesiastical boards to compel obedience in matters of faith.

PROTEUS, *pro'-tee-us*.—A god in the oldest Grecian mythology which was supposed to have the power of endless change of form.

PROTOCOL, *pro'-to-kol* (Gr., *protos*, first; and *kolla*, glue).—Literally means that which was first glued; and the word is applied to the first draft of an instrument or government treaty, &c.

In law, also, the word is applied to a register of deeds and other documents.

PROTO-NOTARY.—An official of the Pope's household at Rome whose duty consists in registering all the solemn deeds of the Holy See, &c.

PROVERBS OF SOLOMON.—One of the sacred books of the Old Testament, ascribed to Solomon. The Hebrew term translated proverbs means literally a similitude or comparison of two objects, and this is the form that most of them take. Solomon, we are told, uttered 3,000 proverbs, but it has been doubted whether he ever made any collection of them in writing; and it is expressly stated that the latter part of the book, beginning with chapter xxv., was written and added by order of King Hezekiah. The title shows the author rather than the compiler. It has hardly ever been contended that a large share in the composition of the book is to be ascribed to the wise king; and the divine authority of the book is sufficiently proved by the quotations made from it in the New Testament. In all ages this book has been regarded as a great storehouse of practical wisdom. It naturally divides itself into several parts. The first seven verses of the first chapter may be regarded as a heading to the rest of the book. Then begins the first part, which constitutes a sort of proem or exordium, and closes with the end of the ninth chapter. It may be described as a series of connected admonitions in a sententious form, written in the highest style of poetry, and adorned with apt, beautiful, and striking illustrations. Wisdom is here personified with indescribable majesty and grace, the love of her inculcated, and her rewards set forth, together with the pernicious consequences that follow her rejection. The second part, which constitutes the chief portion of the book, and is the strictly proverbial portion, extends from ch. x. to xxii. 16. The proverbs, about 400 in number, contain moral precepts and rules of life for every age and class of men, in a clear, sententious form. Generally one proverb is comprised in one short verse of two members or clauses, forming a parallel opposition to each other. Except in a few cases, the grouping appears to be accidental. "They may be compared to so many jewels put together without any visible order or connection, but each shining with its own peculiar beauty—a beauty which is increased rather than obscured by this apparently accidental association of one with another." With ch. xxii. 17, a kind of appendix begins, introduced by a separate heading. The proverbs of this section generally consist of two verses, and sometimes of three, are constructed with less regularity, and often without any parallelism. A second appendix begins at ch. xxiv. 23; denoted by the heading, "These things also belong to the wise." The second main collection begins with ch. xxv., introduced with the heading "These are also proverbs of Solomon, which the men of Hezekiah, king of Judah, copied out." The proverbs here, as in the former part, generally consist of one verse of two parallel opposing members; but they are less plain and intelligible, and frequently obscure. They extend over five chapters. The thirtieth chapter contains the words of Agur, and the thirty-first the counsel addressed to king Lemuel by his mother. Who these persons were is not known. That Lemuel

is another name for Solomon is a conjecture that has little of probability to support it.

PROVIDENCE, *prov'-i-dens* (Lat., *pro-vidéo*, I see before).—Denotes, not merely foresight, but rather the superintending care with which God watches over his whole creation, more particularly the human race. This universe constantly depends upon the Deity for its conservation, as it did at first for its creation.

PROVINCE, *prov'-ins*, (Fr., from Lat., *provincia* usually supposed to be formed from *pro*, and *vincó*, I conquer).—A division of a kingdom or state, comprising several cities, towns, and districts, all under the same government, and usually distinguished by the extent either of the civil or the ecclesiastical jurisdiction. A province, amongst the ancient Romans, was a district of conquered country, governed by a pro-consul or pro-prætor, and called, therefore, *provincia consularis* or *prætoris*. But this name was only applied to lands lying beyond the boundaries of Italy. In the time of Augustus, they were divided into the *provincie senatorie* or *populares* (the people's provinces), and the *provincie imperatorie* (the emperor's provinces). The latter comprised those that were most exposed to hostile incursions, and the administration of which was left entirely to the emperor. In modern times, the term has been applied to colonies, or to dependent countries at a distance from the metropolis, or to the different divisions of the kingdom itself. Thus, the Low Countries belonging to Austria and Spain, were styled provinces; and the different governments into which France was divided previously to the Revolution were also called provinces. The word province is also used in reference to ecclesiastical affairs. The Church distinguishes its provinces by archbishoprics; and in this sense England is divided into two provinces—namely, Canterbury and York.

PROVINCIAL OF AN ORDER.—The superior of all the monasteries and members of a monastic order within a province. (See GENERAL.)

PROVISION, *pro'-vish'-un*.—In Ecclesiastical Law, means the providing a suitable person for an ecclesiastical benefice, and may be divided into two stages, the naming of the person upon whom the benefice is to be bestowed, and the actual institution of the person in such benefice. (See also INVESTURE, INSTITUTION, and INDUCTION.)

PROVISIONAL ORDER.—An order given by a Secretary of State under powers granted by Parliament, which order, however, is not effectual until it has been confirmed by the legislature.

PROVISORS, STATUTE OF *pro'-vi-zors*.—A law passed in the reign of Edward III. to correct the abuses which had arisen in the Papal disposal of benefices.

PROVOST, *prov'-ost* (Sax., *profost*; Lat., *præpositus*, placed before).—The name given to the chief municipal magistrate in the cities and corporate towns of Scotland, corresponding to the mayor in English towns. In England the term is rarely used, except as applied to the heads of certain colleges—as King's College, Cambridge, Eton, &c.

Provost-Marshal is the title of a military officer whose duty it is to attend to offences committed

against military discipline, to bring the offenders to punishment, and to see that the sentences passed upon them are executed. In the Navy, this officer has the custody of prisoners at a court-martial, and till the execution of the sentence of the court.

PROXY, *proks'-e* (Lat., *proximus*, nearest or next).—A person appointed instead of another to represent him. A peer is entitled to vote by proxy, but not a member of the House of Commons. The stamp duty on a proxy to vote at a meeting of a joint-stock company is reduced to 6d. by 19 & 20 Vict. c. 81.

PRUD-HOMMES, COUNCIL OF, *proof'-hom*.—The name given to certain municipal tribunals which came into existence in France in the Middle Ages, and whose functions were to arbitrate in disputes between workmen and their employers.

PSALMODY, *sam'-o-de* (Gr., *psalmos*, the art of singing psalms).—In its widest sense it is applied to sacred hymns or psalms set to music and sung, but is commonly restricted to the metrical version of the Psalms of David. The practice of psalm-singing may be traced at least to the time of our Saviour; for we are told that after the last supper, He and His disciples "sung an hymn," or "psalm," as the margin has it. For centuries afterwards it formed a regular and important part of divine service. About the fourth century the psalmists were instituted, an inferior order of the clergy, whose duty seems to have been to encourage and regulate the practice of psalmody. By degrees a more refined and scientific mode of singing was introduced, and the great body of the people were incapable of taking part in the performance. Trained performers thus came to conduct the whole of the musical service of the Church. One of the results of the Reformation was to restore to the people their share in this service. Metrical versions of the Psalms were made in various languages, and tunes were composed and adapted to them. Luther in particular was distinguished for his efforts in this way, and himself composed and adapted many psalm tunes. The first fifty psalms were translated into French verse by Clement Marot, and being adapted to popular airs, became exceedingly fashionable, and the singing of psalms became a favourite amusement at the Court. Beza subsequently completed the translation of the Psalms, melodies being chiefly by Claude Goudimel and Claude de Joune, native composers, though, according to some, they were chiefly German. About the time of Marot's publication appeared the English translation of the Psalms by Sternhold and Hopkins, to which were adapted many of the best German and French tunes. Subsequently, Thomas Ravenscroft, John Playford (whom Sir John Hawkins considers as the "father of modern psalmody"), Dr. Croft, Handel, Miller, and others, made valuable additions to English psalmody; and in 1696 the version of Tait and Brady took the place of that of Sternhold and Hopkins. Recently the number of psalm tunes has increased almost beyond calculation.

PSALMS, *sams* (Gr., *psalmoi*; from *psallo*, I strike lightly, and hence play on a stringed instrument).—The name of one of the canonical books of the Old Testament, comprising a copious collection of sacred songs. They are usually styled the "Psalms of David;" and though he was doubtless the largest and most eminent contributor, there are many that were clearly composed by different hands, and at very different

periods. To David are ascribed seventy-three psalms in the Hebrew text, and at least eleven others in the Septuagint. There can be little doubt, however, that some, even of those that bear his name, belong to a later date; and on the other hand, the contents and style of some that do not bear his name show him to have been the author. The other authors to whom certain of the Psalms are ascribed are:—Asaph, one of David's chief musicians, 12; the sons of Korah, another family of choristers, 11; Heman and Ethan, two of the chief singers, 1 each; Solomon, 2; Moses, 1. Some of these, however, evidently do not belong to the time at which their reputed author lived. David's compositions are generally distinguished by sweetness, softness, and grace, and his prevailing style is plaintive. The date of the Psalms ranged from the time of Moses to that of the Captivity, a period of nearly 1000 years; and the collection as it at present stands was probably formed by Ezra and his contemporaries. Particular collections, however, must have existed as early as the time of David, and the singers who were appointed by David for the service of the sanctuary sang psalms. In the time of Hezekiah, the Psalms of David and Asaph were sung at religious solemnities; and the same is recorded to have taken place in the second temple after the Captivity. The Book of Psalms is, according to the analogy of the Pentateuch, divided in Hebrew into five books, each of which closes with a doxology. Various classifications, more or less arbitrary, have been proposed of the Psalms. According to De Wette, they may be arranged as follows:—(1) Hymns in praise of God, as the Creator, Preserver, and Governor of the world, and, in particular, as the Protector of His chosen people. (2) National psalms, referring to the history of the people, and the many favours which, in former times, they had received from Jehovah, especially in the time of Moses. (3) Psalms of Zion, and of the temple. (4) Psalms relating to the king, in which he is held up as the representative of Jehovah, and the assistance of God invoked for him. (5) Psalms containing the supplications and complaints of the pious in distress. (6) Religious and moral psalms. This division, however, is too complex and indefinite for practical purposes. Tholuck divides them, according to their subject-matter, into songs of praise, of thanksgiving, of complaint, and of instruction. The inspiration and canonical authority of the Psalms are established by the most abundant and convincing evidence, and in every age of the Church they have been extolled for their excellence and their use for pious purposes. On account of its beauty and significance, this book has called forth a greater number of commentaries than any other. In particular is the theological literature of Germany rich in works of this class; among which we may mention De Wette, Hitzig, Hirzel, Ewald, Hengstenberg, Delitzsch, and Hupfeld.

PSYCHE, *sy'-key*.—A personage of the later Grecian Mythology, supposed to represent the human soul. She was the youngest of three daughters of a king, and after many troubles and misfortunes she was finally made the bride of Eros. The story, which is a beautiful one, but too long to relate here, is supposed to typify the progress of the soul of man, through earthly passions and troubles, to the attainment of pure and heavenly happiness.

PSYCHOLOGY, *si-kol'-o-je* (Gr. *psyché*, the

soul, and *logos*, discourse).—The science of the soul or spiritual principle in man. It deals with the laws and relations of the various changes and phenomena which take place in the mind during the intellectual operations, and traces the causes of these phenomena, in order to discover the nature of mind and its relations to the universe; or, in short, to treat the mind either as it manifests itself, or as it is in itself. Investigations of the latter class, which have for their object that which cannot be discovered by observation, constitute rational or transcendental psychology; while those of the former class, in which the various manifestations of the soul are subjects of observation, constitute empirical or experimental psychology. Empirical psychology may, therefore, be defined to be the scientifically conducted observation of the operations and changes of the human soul. As a science, it includes all the phenomena of the intellectual activity, taking for granted the distinction of the spiritual part of man from the body, as a matter of consciousness, and therefore not attempting to explain it. (See METAPHYSICS.)

PUBLICANI. *pub-li-kay-my.*—Those persons who, in the old Roman state, farmed the public revenues. They often oppressed the people greatly, and were the “publicans” of which frequent reference is made in the New Testament. About 150 years B.C., the farming of these revenues came chiefly into the hands of the Equites. (See EQUITES.)

PUBLIC BURDENS.—In Scotch Law, the rates and taxes on land, such as land-tax, poor-rates, road-rates, &c. Where no stipulation is made, the public burdens fall on the land-lord.

PUBLIC HEALTH, PUBLIC HEALTH ACTS.—The subject of the public health has of late received great attention, and various acts have been passed for the enforcement of better sanitary conditions. In this way, although much good was done, a confusion of authorities arose, when in 1875 an act was passed consolidating all previous sanitary acts. A Local Government Board was formed, to which the various Boards of Guardians, elected throughout the county by the ratepayers, are subject. To most of these Boards of Guardians a Medical Officer of Health is appointed, who has special sanitary duties. The Inspectors of the Local Government Board have to see that vaccination is properly carried out, to investigate any town where fever or any contagious disease is prevalent, and in various ways to see that sanitary work is properly attended to. The result of this act and kindred laws has been to greatly improve the sanitary condition of the country.

PUBLIC-HOUSES.—The common name of inns and beer-houses. The former—inns or alehouses—also give board and lodging to travellers, while the latter are shops for the retail sale of beer, to be drunk either on or off the premises. The keepers of these houses must all obtain a license from the Justices of the Peace, before they can sell excisable liquors. (See ALE-HOUSES and INNS.)

PULPIT, *pul'-pit* (Lat., *pulpitum*).—An elevated stage or desk, from which sermons are delivered. They were formerly placed, not only in churches, but sometimes also in the refectories of monasteries, in the cloisters, and occasionally

in public thoroughfares. In churches the pulpits were formerly always placed in the nave, attached to a wall, pillar, or screen, and the ecclesiastics and others who occupied the choir during the mass removed into the nave to hear the sermon. Many ancient pulpits exist in our churches, particularly in Somersetshire, as at King's Sutton, Kingsbury Episcopi, &c., and the adjoining counties. Some are of wood, others are of stone; the wooden ones are usually polygonal, with the panels enriched with featherings, tracery, and other architectural ornaments, and raised upon a single stem: few, if any, of these are earlier than the Perpendicular style. In the church at Kenton, Devonshire, there is a pulpit which retains some of its original painting. At Beaulieu, in Hampshire, there is a stone pulpit of a very early date in the Decorated style. By far the greater number of stone pulpits are, however, of the Perpendicular style. Their design is very varied; but the plan is usually polygonal, and in many instances they are formed like niches in the wall, with projecting fronts. In some the approach is by concealed stairs; in others the steps are exposed to view. Soon after the Reformation, a great number of wooden pulpits were erected in this county in churches which had hitherto been without them. Many of these still remain. A remarkably fine specimen of this kind of pulpit may be seen at Castle Ashby, Northamptonshire. On the Continent, the pulpits in the large churches are often of very large size, capable of holding more than one person. They are most elaborately enriched with a profusion of architectural and sculptured ornaments. In Strasburg Cathedral there is a fine specimen of the Flamboyant date. For a long period pulpits appear to have been treated as an architectural feature, being constructed, if not of marble, of the same material as the rest of the interior. One of the most celebrated pulpits, as a performance of art, is the magnificent oak pulpit in the nave of Saint Etienne, at Brussels. The whole is elaborately carved, the pulpit being supported by a group representing Adam and Eve expelled from Paradise. In Germany and the Low Countries pulpits are frequently masterpieces of wood-carving, the preaching-place in some of them forming part of a great artistic group: as of the Conversion of St. Paul, the Temptation of Adam and Eve, and similar subjects. In the Greek and Roman theatres, the pulpitum was a place where the players performed their parts. It was lower than the scena, and higher than the orchestra. It nearly answered to what we call the stage, as distinguished from the pit and galleries. The pulpitum was also a movable desk, or pulpit, from which disputants pronounced their dissertations, and authors recited their works.

PUNDLER, *pund'-ler.*—A person who, in Scotland, is employed as a bailiff or overseer in the absence of the proprietor.

PUNDIT, or PANDIT, *pun'-dit, pan'-dit* (Pers., *pand*, learning).—A Brahmin who consecrates his life to the study of religion and science. Pundit is a title nearly equivalent to our doctor.

PUNISHMENT, *pun'-ish-ment* (Lat., *punire*, to punish).—The penalty due for an offence. The original idea of punishment was the infliction of pain on the offender, corresponding to the amount of pain or suffering which he had inflicted upon others, in consequence of his

offence. Hence arose the *lex talionis*, or retaliatory principle of punishment, which demanded an eye for an eye, a tooth for a tooth, &c. With the spread of Christianity it came to be seen that the infliction of pain as satisfaction for an offence was a vindictive proceeding, contrary to the spirit of Christianity, and that the proper end of punishment is not to avenge the past, but to prevent future offences. All punishment is an evil, and a penal system ought to aim at economizing pain by diffusing the largest amount of salutary terror at the smallest expense of actual punishment. A punishment ought, as far as possible, to be certain, and, as far as the different conditions and circumstances of individuals will permit, to be equal. In this country, the laws for the punishment of offences have of late years been placed upon a much more satisfactory footing than formerly; a characteristic feature of it being the great efforts that are made for the reformation of the criminal. (See PRISON, CAPITAL PUNISHMENT.)

PUNISHMENT, FUTURE. (See HELL, PURGATORY.)

PURANA, *puran'-a*.—The name given to those very ancient religious works which in addition to the *Tantras* (which see) are the foundations of the creed of the Brahminical Hindoos. (See HINDOO RELIGION.)

PURCHASE SYSTEM.—The system which formerly prevailed in the British army, by which a large number of officers obtained their appointments and promotion. The commission of the greater number of officers was valued by regulation at a certain price; and when an officer wished to retire from the army, he sold his commission. Death vacancies were filled without purchase, and no rank above lieutenant-colonel could be purchased. This system was abolished in July 20th 1871 by royal warrant, and first commissions as sub-lieutenants are now given to successful candidates at open examinations, and the promotion to superior posts may be said to be by seniority tempered by selection. By the Regulation of Forces Act of 1871, a scheme was introduced whereby officers who had lost their selling rights by the Royal Warrant Abolishing Purchase, were to receive compensation. (See ARMY.)

PURCHASER. (See SALE.)

PURGATION. (See ORDEAL.)

PURGATORY, *pur'-ga-to-re* (Lat., *purgare*, to cleanse).—Literally, a place of expiation, and is the name given by Roman Catholics to an intermediate state after death, where the souls of those that die in communion with the Church, and penitent, expiate certain offences which do not merit eternal condemnation. The Church does not profess to teach what is the nature or duration of the punishment of purgatory, nor that it is situated in any particular place; but she believes that indulgences, masses, and the prayers of friends on earth, have the power of abridging the sufferings of souls in this state. The Roman Catholics build their doctrine of purgatory upon the proposition that every sin, however slight, as it is an offence against God, is deserving of punishment from Him, and will be punished hereafter, if not cancelled by repentance here. Few, they say, depart this life so pure as to be totally exempt from every kind of debt due to God's justice, and as such small sins do

not deserve eternal punishment, there must be some third place for their expiation; since only the clean and the pure can be admitted into heaven. Broughton has endeavoured to prove that this notion was held by the Jews, Pagans, and Mohammedans; and there is no doubt that in the days of the Maccabees, the Jews believed that sin might be expiated by sacrifice, after the death of the sinner. No mention of purgatory occurs in the Christian church before the time of Augustine, who, in some of his works, speaks of it in a doubtful sort of a way, as a thing that "may be possibly found so, and possibly never." The doctrine is said to have been first inculcated as a matter of belief by Gregory the Great, at the end of the 6th century. The Greek church, like some of the eastern sects, prays for the dead, but does not believe in purgatory; and when efforts were made to effect a reconciliation between the two parties in the 15th century, the Greeks demanded an explanation of what purgatory was, and the subject was fully discussed at some of the councils of the period, particularly that of Florence, 1439. Protestants reject the doctrine of purgatory as being derogatory to the doctrine of Christ's having made a complete satisfaction for sin.

PURIFICATION, *pur'-ri-fi-kay'-shun*.—The removal of the taint of uncleanness. In its legal and technical sense, it is applied to the ritual observances, whereby a Jew was formally absolved from this taint. The purification ordained by the law of Moses is set forth in full in Lev. xi., xii., and xv., and also in Num. xix. In all cases, purification consisted in the use of water, but in certain cases various kinds of sacrifices were added.

PURIFICATION OF THE BLESSED VIRGIN, FEAST OF.—A church festival to commemorate the "purification" of the Virgin Mary, and in accordance with the ceremonial law of Lev. xii. 2, appointed to take place on the fortieth day after the Nativity: reckoning this to occur on Dec. 25th, it follows that the Festival of the Purification falls on Feb. 2nd. The first trace of the observance of this Feast is in the Church of Jerusalem, about the middle of the 5th century; and it was introduced into the Romish Church in the end of the same century (in the year 494) by Pope Gelasius, who adapted to its use the festivities of the old Roman feast of the Lupercalia. It is also called the "Presentation of the Child Jesus," and also the "Feast of Simeon."

PURITANS. (See DISSENTERS.)

PURURAVAS, *pur'-ur-a-vas*.—The name of a very celebrated king in Indian legendary history.

PURVEYORS, ARMY.—Officers charged with the superintendence of the civil affairs of army hospitals, &c., but, finally, in 1875, their office was merged in the Commissariat Department.

PUSEYITES, *pus'-ey-ites*.—Followers of the late Rev. E. B. Pusey, Professor of Hebrew at Oxford University. (See TRACTARIANS.)

PUTTING TO SILENCE.—A term in Scotch Law corresponding in English Law to Jactitation (which see).

PYROMANCY, *pi-ro-man'-sy*. (See DIVINATION.)

PYTHAGOREANS, *pi'thay-o-ree-ans*.—The followers of Pythagoras, a Greek philosopher, who lived about 500 B.C., and whose distinguishing doctrine was a belief in the transmigration of souls. (See GREEK PHILOSOPHY.)

PYX, *pix* (Gr., *pyxis* a box).—The name of the sacred vessel which, in the ceremonial of the Roman Church, contains the consecrated elements

of the Eucharist, reserved for the adoration of the faithful, or for the communions of the sick. The form of the pyx has varied very much, but is now commonly shaped like a large cup or goblet, with a close fitting cover, and is inlaid or plated with gold, and must be blessed by a bishop, or priest delegated by a bishop, before use. In ancient times it was made like a dove, and suspended over the altar.

Q.

QUADRAGESIMA, *kwood-ra-jess-i-ma*, (Latin, fortieth day).—Lent, because it consists of forty days. Quadragesima Sunday, the first Sunday in Lent. Some authorities say that it also takes its name from being the fortieth or about the fortieth day before Easter, and is in series with Septuagesima, the 70th, Sexagesima the 60th and Quinquagesima the 50th day before Easter.

QUADRIENNium UTILE, *kwood-ri-en-ni-um u'til ee*.—A term in Scotch law meaning the four years after a person has attained his majority, during which four years a man has the option of reducing or setting aside any deed executed to his prejudice during his minority.

QUADRILLE, *kahd'-ril*.—A dance, which appears to have obtained its name by having been danced by four couples. It is of French origin, and usually consists of five consecutive movements. The couples are opposite to and at right angles with each other. A quadrille is for this reason also called a *square* dance.

Quadrille.—A game played with forty cards by four persons. The tens, nines, and eights are taken from the pack, and the game is played with the remaining cards. In Pope's poem, *The Rape of the Lock*, will be found an accurate description of *Thomora*, which, in fact, is quadrille played by three persons.

QUADRUPLE ALLIANCE. (See ALLIANCE.)

QUAKERS, *kwoik'-erz*, or, as they style themselves, the "Society of Friends," are a religious sect which originated in England about the middle of the 17th century. (See FRIENDS, SOCIETY OF.)

QUARE IMPEDIT, *kwood-way im'-ped-it*.—In English Law, the name of an action brought by a person who has purchased an advowson against any one who disturbs him in the exercise of the legal right he has thus acquired.

QUARTER-MASTER.—An officer attached to each regiment, and holding similar rank to that of lieutenant. His duties are to look after the quarters, &c., of the men. The Quarter-master General is a staff officer of high rank, who arranges the quarters, &c., of the army to which he is attached.

QUARTERS.—In the Army and Navy, the name given to the positions and the places of lodgings assigned to persons or bodies of men. Headquarters is the quarter where the commander of the force is placed. The headquarters of the entire British army is at the Horse Guards, Whitehall, where are the permanent offices of the commander-in-chief. In the navy, the word means the positions in actual combat taken by every man.

QUARTERNION, *kwoor-ter-ni-on*.—In the old Roman army, a file of four soldiers; a group of four.

QUARTER SESSIONS, COURT OF. (See COURT OF QUARTER SESSION.)

QUARTO DECIMANS, *kwoor-to ded'-si-mans*.—A name given to those persons who believed it to be necessary to observe the Jewish Passover, or who held it to be obligatory to celebrate Easter on the 14th day of the first lunar month near the vernal equinox, whether that day fell on a Sunday or not, and although the Council of Nicea had decided otherwise. (See EASTER.)

QUASIMODO SUNDAY, *kwas-i-mo'-do*.—The first Sunday after Easter, so called from the first words of the Introit of the Mass for that day. It is also called *Dominica in Albis*, from the custom of the Neophytes, who had been baptized at Easter, appearing in church in white garments on that day.

QUEEN, *kwoen* (Sax., *cwæn*, wife).—The wife of a king, or a female sovereign. In this country, a queen regnant differs in no respect from a king, as regards the political rights vested in the dignity. (See KING.)

The Queen-Consort is possessed of peculiar privileges granted to no other woman, whether married or single. (See CONSORT.)

The Queen Dowager is the widow of a deceased king, and enjoys most of the privileges which belonged to her as queen consort.

QUEEN ANNE'S BOUNTY. (See BOUNTY, QUEEN ANNE'S.)

QUEEN ANNE'S FARTHING.—These coins, struck in the reign of Queen Anne, were designed by a German named Crocher, who was at that time the principal engraver to the Mint. They were never really intended for circulation, being, in fact, only specimens of a coin which, however, was not struck. They are not so rare as some coin collectors believe, and the idea that only three were made, and two being in public keeping there was only one to be obtained, is quite erroneous. There are certain differences among them, a few being struck in gold, and some have raised letters and some sunk letters. These latter are the rarest.

QUEEN'S BENCH, OR KING'S BENCH, COURT OF.—One of the five divisions of the High Court of Justice, presided over by the Lord Chief Justice of England, and having in addition 14 judges. It doubtless received its name from the fact that in former times the king used to administer justice here in person. (See LAW.) It is the supreme court of English Common Law.

QUEEN'S COUNSEL.—The name given to certain barristers, nominated by the Lord Chancellor, as being most able and successful, who receive from the sovereign a patent which enables them to take precedence over their fellow barristers, and to take the chief conduct of cases.

QUEEN'S, OR KING'S, REGULATIONS.—Those orders and regulations, which are issued to guide the naval and military commanders in the conduct of their forces.

QUEEN'S TOBACCO PIPE.—The name popularly given to a peculiarly shaped kiln in the tobacco warehouses of the London docks, in which is placed damaged tobacco, and smuggled goods, until a sufficient quantity is collected, when the whole is set on fire and burned.

QUESTION. (See TORTURE.)

QUIETISTS, *kwé'-et-ists*.—A term applied to certain religious sects, who held the doctrine that the essence of religion consisted in the devout contemplation of the being and attributes of God, so as to absorb all human passions and sentiments. A sect of this class existed under the name of Hesychasts, among the religious of Mount Athos, in the 14th century. A Spanish priest, Michael Molinos, published a work entitled "The Spiritual Guide" (1675), in which he advocated this doctrine, and obtained many followers. His work was condemned, and he himself obliged to abjure his errors and terminate his life in acts of penance in a Dominican convent at Rome. His opinions, however, spread, and works of a similar nature appeared in Germany, France, and other countries. In France, the great advocate of the doctrine was Madame Guyon, a lady of great piety, but with more imagination than judgment. Fenelon took up and advocated the system, which brought him into controversy with Bossuet. Quietism was

condemned by papal bull in 1699, and since then has gradually ceased.

QUINQUAGESIMA SUNDAY, *kwín-kwa-jés'-i-ma*.—The Sunday before Ash-Wednesday.

QUI TAM, *kwí'-tam*.—A name given to certain actions in English Law by which an informer sues for penalties. The name arises from the first words of the old form of declaration, which was written in Latin.

QUIT RENT, *kwit*.—Literally means *quiet-rent*, and is so called because it is the small rent by which the tenants of old manors were allowed to be *quiet* in their holdings. It was distinguished from corn rents, and was sometimes called white rent because it was paid in silver money.

QUORUM, *kwor'-um* (Lat., of whom).—In Law, is a term used in commissions, from the Latin expression *quorum A. B. unum esse volumus* (of whom we wish A. B. to be one). Thus, in commissions of justices of the peace, it is usual to name certain of them as a quorum, without the presence of whom no business can be done. In legislative and other assemblies, a quorum is a certain number of members who are required to be present before any business can be transacted.

QUO-WARRANTO, *kwó wor-ran'-to*, (Lat., by what warrant).—In Law, is a writ in the nature of a writ of right for the crown, issuing out of the court of Queen's Bench, against one who claims or usurps any office, franchise, or liberty, calling upon him to show by what warrant he exercises the office, franchise, or liberty in question. This writ has fallen into disuse, and a more expeditious mode of proceeding has been adopted, by filing an information by the Attorney-General, in the nature of a *quo warranto*, in which the person usurping is considered as an offender, and consequently punishable by fine.

R.

RABBI, *rab'-bi* (Heb., my teacher, lord, or master).—A title of respect given by the Jews to the teachers of their law, and seems to have been introduced only shortly before the time of Christ. It was frequently applied to Christ by his disciples. It was originally used in three forms—*rab*, or master; *rabbi*, or my master; and *rabbun*, great master, or *rabbini*, my great master. *Rab* is still used by the Jews of eastern Europe and others, both in conversation and writing, in the sense of Mr.; and the title *rabbi* or *rabbini* is given to the modern religious heads of Jewish communities or congregations. The term *rabbini* is applied to all the Jewish writings composed after the Christian era.

RACK, *rák*.—An instrument of torture furnished with pulleys, cords, and other appliances, for extorting confessions from criminals. It was in use at an early period in the south of Europe, where it was applied to the early Christians, and in later times was an instrument of the Inquisition. It is unknown to the law of England, though once, in 1423, when the Dukes of Exeter and Suffolk, and other ministers of Henry VI., had designed to introduce the civil law into the king-

dom as the rule of government, they caused a rack to be erected for torture, which in derision was called "The Duke of Exeter's Daughter," and still remains in the Tower of London. Upon the assassination of Villiers, Duke of Buckingham, by Felton, in 1628, it was proposed in the privy council to put the assassin to the rack, in order to discover his accomplices; but the judges being consulted, declared unanimously that no such proceeding was allowable by the laws of England. (See TORTURE.)

RACK-RENT.—The name given to the full annual value of lands and houses, as distinguished from the value fixed in a lease for a term of years, which is often less than the full annual value, especially in districts where the value rises rapidly. Thus if a landowner lets ground on a building lease for a period of years, at a sum for the rent of the land only, when the lease has run out he is entitled to charge a rent for the house and land together. This rent is called the rack-rent.

RADICALS, *rád'-ik-als* (Lat., *radix*, a root).—The name given to a political party in England

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RADICALS, *rad-i-kals* (Lat., radica, a root).—The name given to a political party in England

who are opposed to half-measures, and wish to have all the abuses that may have crept into our constitutional system completely rooted out, and our institutions re-modelled.

RAGGED SCHOOLS. (See SCHOOLS.)

RAGHU, *rag'-hew*.—The name of a legendary king of ancient India, who, according to tradition, derived his origin from the sun.

RAGHUVANSA, *rag-hew-van'-sa*.—The title of a very celebrated Sanscrit poem, giving the legendary history of the family of Raghu, a king of India. It begins with Dilipa, the father of Raghu, and ends with Agni-varna. Translations have been published by the Sanscrit College of Calcutta.

RAGMAN, OR RAGMAN ROLL.—The collection, or rather the roll or record, of such documents setting forth the acts of homage performed by the Scottish nobility and gentry to Edward I., in 1296. The original instruments were kept in the Royal Treasury of England, and have now almost all decayed; but a Roll still in the Tower of London keeps a record of them. The Ragman Roll is the most complete and most authentic, and indeed the only genuine, record of the nobility and burgesses, &c., of Scotland before the 14th century. The word *rayman* was used in old diplomatic language to signify a legal deed.

RAHU, *rah'-hew*.—In Indian mythology is the name of a demon who is imagined to be the cause of the eclipses of sun and moon.

RAJAH, *rah'-jah* (Sanskrit, king).—A title applied to the hereditary princes among the Hindoos.

RĀJATARANGINĪ, *rah'-jah-tar-an-gin-i*.—Literally means "the river of kings," and is the name given to four long Sanscrit poems, or chronicles in verse, containing the history of Cashmir. It is the first of the four, however (which brings the history down to about 1150 A.C.), which has the greatest reputation, for it is the most complete of all the known Hindoo chronicles. The Asiatic Society of Bengal have an edition of the four chronicles.

RAJPOOTS, OR RĀJPUTS, *rah'-dg-poot*.—The name given to various tribes in Hindostan, of Aryan origin, who claim to be descended from the old royal races of Hindoos or from the old military caste. (See CASTE.) The word comes from the Sanscrit *rajan* king and *putra* son, and means, literally, son of a king.

RAKSHAS, OR RAKSHASA, *rack'-shas*.—In Hindoo mythology, the name given to a class of bad spirits, usually represented as horrible monsters, whose evil mission it is to seriously annoy good people, and to do all kinds of harm. They are supposed to assume any shape at will, and the female Rakshas are believed to take beautiful forms in order to allure their victims. They play an important part in many of the Indian legends.

RAMA, *rah'-ma*.—In Hindoo mythology, the common name of the three incarnations of Vishnu. (See VISHNU.)

RAMADAN, *ram'-a-dan*.—A Mohammedan Fast. The month of Ramadan is the ninth of the Mohammedan year, and is usually very hot. As Mahomet was supposed to have received his

first revelation in this month, every true believer is to keep a strict fast during its course. From dawn to sunset of each day he is to swallow nothing, not even his own saliva, nor is he to smell any perfume, or smoke or bathe; and only the most necessary wants are to be satisfied during the hours of darkness. (See BAKRAM, MOHAMMEDANISM.)

RAMESES, RAMSES, OR RAMESSES, *ram'-e-seez*.—This word literally means "born of the sun," and is the name of several ancient Egyptian monarchs said to have been of Theban origin.

RANKING AND SALE.—A term in Scotch law, given to an action by which the land or hereditament of an insolvent is sold for the benefit of the creditors, who are ranked according to their legal priority.

RANSOM, *ran'-sum* (a corruption of the old Latin word *redemptio*).—The price paid to set a person free either from captivity or punishment. Formerly immense prices were paid to set free prisoners of war, thus £100,000 were paid as ransom for Richard Cour-de-Lion; and the ransom for King John of France was fixed at £500,000. Now, however, pecuniary ransoms are seldom paid for prisoners of war, as they are usually exchanged for others of similar rank.

RANTERS, *rant'-erz*.—A name sometimes applied to the Primitive Methodists, on account of the manner in which they were wont to parade the streets in large numbers, singing hymns, &c. (See METHODISTS.)

RAPE, *rape* (Lat., *raptus*).—In Law, is the violation of a woman, forcibly and against her will. Every civilized code has declared against this offence, and affixed to its commission the severest penalties. By the Jewish law, to ravish a damsel betrothed to another was punishable with death; and in case she was not betrothed, the offender was compelled to take her to wife, and pay her father a fine of fifty shekels. By the Roman law, rape was punishable with death and confiscation of goods. Among the Saxons it was also esteemed a felony, and punished with death, though the woman, if single, might redeem the offender by accepting him as her husband, and he willing to be so redeemed. By William the Conqueror, emasculation and loss of the eyes was substituted for capital punishment in this offence. In the reign of Edward I. (Westm. I. c. 13), the punishment of this offence was much mitigated; but it led to a fearful increase of the crime, and ten years afterwards it was again made punishable with death. Capital punishment was abolished in 1841 by 4 & 5 Vict. c. 56, and transportation for life (now penal servitude) substituted. An assault with intent to commit rape is a misdemeanour punishable by imprisonment for any term not exceeding two years, and with or without hard labour.

RAPPEN, *rap'-pen*.—A Swiss coin of the value of one-hundredth part of a franc, and therefore equal to the French centime. It is made of an alloy of copper and tin.

RATIFICATION, *rat-i-fi-ka'-shun*.—The act of ratifying, or confirming, or making firm, a deed or arrangement. In Scotch law, the word is applied to an acknowledgment made before a magistrate by a married woman that a deed was voluntarily made by her, and that she quite understood its meaning.

RATIO, *ray'-shi-o*.—The proportion or relation which one thing bears to another. (See PROPORTION.)

RATION, *rai'-shun* (Fr., from Lat., *ratio*, proportion).—In the Army, a certain allowance, which is given in bread, meat, forage, &c., for an officer or soldier when troops are on service. A daily ration consists of one pound of bread or biscuit, one pound of meat, either fresh or salt, three-sevenths of a quart of wine, or one-seventh of a quart of rum. The rations of officers vary according to the number of servants in their pay. The number of servants for which regimental officers are allowed to draw rations is as follows:—Colonels, 4; lieutenant-colonels and majors, 3; captains, paymasters, and surgeons, 2; all other ranks one servant each.

RATIONALISM. (See GERMAN THEOLOGY.)

RAVANA, *rah-vahn'-ah*.—In Hindoo mythology, a giant with ten faces. He appears to have been one of the chief Rakshasa. (See RAKSHASA.)

REACTION, *ree-ack'-shun*.—In Political History, a term used to denote the tendency which a nation, or a party in the nation, sometimes shows to go back from the effect of progressive legislation and to restore a previous state of things.

REAL. A Law term. (See REAL PROPERTY.)

REALISM, **REALISTS**. (See NOMINALISTS.)

REAL PRESENCE.—A doctrine of belief in the Roman Catholic, Greek, and other Eastern Churches, which holds that in the Sacrament of the Lord's Supper the body and blood of Jesus Christ Himself are really and substantially in the bread and wine, after they have been consecrated by the priest. The Council of Trent, which is regarded as the authority on Roman Catholic doctrine, has used the words *really* and *substantially*, in order to exclude the idea that the body and blood of Christ are typically present in the Sacrament. (See TRANSUBSTANTIATION.)

REAL PROPERTY, *re'-al* (Lat., *res*, a thing).—In Law, is property in lands, tenements, or hereditaments. Things real, or realty, consist of things substantial and immovable, and of the rights and profits annexed to or issuing out of these, as distinguished from things personal, or personality, consisting of goods, money, and all other movables, and of such rights and profits as relate to these. Lands include any ground, soil, or earth whatsoever, as arable, pasture, woods, water, moors, &c.; tenements, whatever may be holden, or the subject of tenure, as besides land, houses, &c., rents, commons, and other rights and interests issuing out of or concerning land; and hereditaments, not only lands and tenements, but whatever may be inherited, be it corporeal or incorporeal, real, personal, or mixed. The common law of real property is founded on the rules and customs which in the feudal period governed the tenure of lands. All the land of the realm is holden mediately or immediately of the sovereign. Even a freeholder has no absolute ownership of land; he has only an estate. The chief estates in lands originated, no doubt, in the various forms of feudal tenure. (See FEUDAL SYSTEM.) Tenements and hereditaments come under the

same law because they possess some of the characteristic qualities of lands; as they may be holden on tenure or are inheritable.

REASON, *ree'-zon* (Lat., *ratio*, from *reor*, I think).—In Philosophy, is most commonly used to denote that highest faculty of the human mind which distinguishes man from the brutes, and constitutes his rational nature. According to Dugald Stewart, it "denotes that power by which we distinguish truth from falsehood and right from wrong, and by which we are enabled to combine means for the attainment of particular ends." More correctly, and apart from its use for cause, motive, argument, &c., it is employed in the five following senses:—(1.) As denoting an intellectual nature generally, and comprehending (a) conception or simple apprehension; (b) judgment; (c) reasoning, or the discursive faculty; (d) intellect or intelligence proper. (2.) In close connection with the preceding signification, from which perhaps it ought not to be separated, is the sense in which it is used to characterize the legitimate employment of our faculties in general. (3.) It is also used to denote the third and fourth of the above-mentioned functions—viz., the reasoning faculty and the intellect. (4.) It has been used very generally for the third of the above special functions, reason and reasoning being thus confounded. (5.) It signifies the reasoning, in contradistinction to the intellect or understanding, and is thus used by Kant and his followers, who separate reason (*Vernunft*) distinctly and emphatically from understanding (*Verstand*). (See METAPHYSICS.)

REBELLION, *re-bell'-le-on* (Lat. *rebellio*, from *re* and *bellum*, war).—As originally used by the Romans, denoted the rising again, and making a second resistance, of those who had formerly been overcome in battle and yielded their submission; but with us it is commonly used to denote the taking up of arms traitorously against the crown, whether by natural subjects or others when once subdued. It also signifies disobedience to the process of the courts.

The Great Rebellion of England is a term sometimes given to the revolt of the Long Parliament against the authority of Charles I., in 1642, and ending with the submission of the King to the Scots, in April, 1646; but sometimes the period is extended so as to include the Commonwealth, or Protectorate, under Cromwell, down to the restoration of Charles II. in May, 1660.

RECEIVER OF STOLEN PROPERTY, *re-seev'-er* (Fr. *recevoir*, to receive).—By 7 & 8 Geo. IV. c. 29, it is provided that if anyone shall knowingly receive any chattel, money, or valuable security, or other property, the stealing or taking whereof shall amount to felony, either by common law or by act of Parliament, every such receiver shall be guilty of felony, and may be indicted, either as an accessory after the fact or for a substantive felony, and liable at the discretion of the court, to penal servitude for from three to fourteen years, or imprisonment for not more than three years.

RECEPTACLE. (See THALAMUS.)

RECEPTION, THE, OF MONKS AND NUNS, *ree-sep'-shun*.—A religious ceremony, which consists in a bishop (or priest delegated by a bishop) blessing the monastic dress about to be assumed by the postulant, and investing the postulant with them, with appropriate prayers,

the hair being cut and the secular dress laid aside. Before this service, a preparatory stage has been passed through, varying from two to six months, during which the would-be monk, or nun, is called the postulant. After the reception ceremony the postulant is called a novice, and is still free to return to a secular life until the period (which the reception commences) called the novitiate is passed.

RECHABITES, *rek'-a-bites*.—Among the ancient Jews, were a religious order instituted by Jonadab, the son of Rechab, and comprehending only the family and posterity of the founder. The principal rules observed by them were, not to drink wine, not to build any houses but to dwell in tents, and not to sow corn or plant vines. These rules they observed with great strictness, as appears from Jeremiah xxxv, 6, &c. At present there exists a body of teetotalers under this name.

RECLAIMING, *re-klaym'-ing*.—A term in Scotch law, meaning an appealing to the "Inner House," from a judgment of the Lord Ordinary.

RECLUSE, *red'-kluse*.—Strictly speaking, a recluse is a monk or nun who shuts himself or herself up in a cell away from all human intercourse, even from converse with the members of their own order. In its wider sense, however, the word is applied to any one who is shut up in strict retirement, and to all cloistered persons, although they live with members of their own order.

RECOGNIZANCE, *re-kog'-ne-zans* (Lat. *recognosco*, I acknowledge).—In Law, is an obligation of record entered into before some court of record, or magistrate duly authorized to take it, with condition to do some particular act—as to appear at the assizes, to keep the peace, to pay a debt, or the like—upon the performance of which condition the obligation becomes null and void; but upon failure, the amount of the recognizance is forfeited. It differs from a bond, in that the latter is the creation of a new debt, while a recognizance is an acknowledgement upon record of a former debt. The state or person to or in whose favour the recognizance is made, is called the cognizee, and the person who enters into it the cognizor. A recognizance may be entered into either to the crown, as where a person enters into recognizances to appear to answer a criminal charge, or to a subject as where bail is given. A recognizance by statute is either founded on a statute merchant or statute staple, or is in nature of a statute staple under 23 Hen. VIII. c. 6. These last, however, have long fallen into disuse, having been superseded by more convenient and efficacious modes of proceeding.

RECOLLET, *reek'-ol-lay* (Lat. *revocollatus*, collected together).—Certain reformed bodies of monks and nuns in the Roman Catholic Church. Perhaps the most numerous body is that known also as the Reformed Franciscans. The name Recollet is also given at times to the Reformed Cistercians, an order of Spanish nuns.

RECORD, *rek'-ord*.—In Law, a term meaning the formal statements of parties in a litigation, and in the higher courts their statements are filed.

RECORDER, *re-kor'-der*.—In Law, is the chief judicial officer of a city or borough, ap-

pointed under the sign manual by the crown, and having civil and criminal jurisdiction within the city or borough, with precedence next to the mayor. He must be a barrister of at least five years' standing, and holds office during good behaviour. Formerly, the appointment of recorder was in the hands of the corporation. His court is a court of record.

RECORDS, PUBLIC, *rek'-ords* (Lat. *recorder*, I call to mind).—Authentic memorials of all kinds, public as well as private, may be considered in one sense as records; but the term "public records" generally refers to the contents of our Public Record Office. In a popular sense, the term is applied to all public documents preserved in a recognized repository; and as such documents cannot conveniently be removed, or may be wanted in several places at the same time, the courts of law receive in evidence examined copies of the contents of public documents so preserved, as well as of real records. Sometimes mere private memoranda have been elevated to the dignity of public records on the sole ground of their official custody, and on the other hand, numbers of documents, which were originally compiled as public records, have strayed from their legal repository to the British Museum, and have thereby lost their character of authenticity. By far the greater part of our records are kept as rolls written on skins of parchment or vellum, averaging from nine to fourteen inches wide, and about three feet in length. Two modes of fastening the skins or membranes were employed—one, that of attaching all the tops of the membranes together, bookwise, which is employed in the Exchequer and courts of common law; and the other, that of sewing each skin or membrane consecutively, which was adopted in the Chancery and Wardrobe. The rolls of the common law, after the time of Henry VIII., contain so many skins that they cease to be rolls, and are simply oblong books, and, unlike the early rolls of the same series, are exceedingly ill-adapted for preservation and inconvenient for use. On the other hand, membranes may be fastened together after the chancery fashion in any numbers, and yet remain a legitimate roll, though imposing much bodily labour in the consultation. The Land-Tax Commissioners Act of 1 Geo. IV. extends, it is said, to 900 feet when unrolled. Domesday Book, the oldest and most precious of our records, counting eight centuries as its age, and still in the finest preservation, is in the form of a book. Records are generally written on parchment; but one is in existence written on paper as early as the reign of Edward II. *Tallies* were records of wood. Records in ancient times were written in a peculiar hand called *court hand*, which was well adapted for preservation; but in later times the writing, as well as the ink, has much degenerated. All the great series of our records, except those of Parliament, are written in Latin, the spelling of which is much abbreviated. During the Commonwealth, English was substituted; but soon after the Restoration, Latin was restored, and the records of the courts continued to be kept in Latin until the reign of Geo. II. In certain branches of the Exchequer, Latin continued in use until the abolition of the offices in very recent times. Many of our statutes, from Edward I. to Henry V., and the chief part of the rolls of Parliament, are written in Norman-French. Great numbers of records were formerly kept in pouches or bags of leather, which were

hung against the walls, and which, when they escaped damp, preserved their contents in all their pristine freshness and cleanliness. Others were kept in chests, coffers, small wooden boxes, and "hanapers," or baskets made of twigs. A very important step was taken by the legislature at the commencement of her present Majesty's reign, to provide for the better custody and preservation and more convenient use of the public records, and an act was passed (1 & 2 Vict. c. 49) by which the master of the rolls is made guardian of the public records, having power to appoint a deputy, and, in conjunction with the Treasury, to do all that may be necessary in the execution of this service. The act contemplated (and what it contemplated has been, or is being, carried out) the consolidation of all the records from their several unfit repositories into one appropriate receptacle; their proper arrangement and repair; the preparation of indexes or calendars, which were more or less wanting to every class of records; and giving the public more easy access to them.

RECOVERY, OR COMMON RECOVERY, *re-kuv'-ere* (Fr., *recouvrer*, to get back).—In Law, was a suit or action, either actual or fictitious, but generally the latter, in which lands were recovered against the tenant of the freehold. There were at least three persons concerned in a writ of common recovery—the recoverer, the recoveree, and the vouchee. The recoverer was the plaintiff or demandant that brought the writ of entry; the recoveree, the defendant or tenant of the land, against whom the writ was brought; and the vouchee, he whom the defendant or tenant vouched or called to warranty of the land in demand, either to defend the right or to yield him other lands in value, according to a supposed agreement. The recoverer sued out a writ or *praecipe*, as it was called, against the recoveree, who appeared to the writ, but instead of defending his title, he vouched (vouchit) a third person, who was supposed to be bound to warrant the tenant's title, and the vouchee having appeared, undertook the defence of the tenant's title, but purposely failed to do so, and allowed judgment to go on default. Common recoveries were invented by the ecclesiastics, to elude the statutes of mortmain, and afterwards encouraged by the *finesse* of the courts of law, in order to put an end to all fettered inheritances, and bar not only estates tail, but also all remainders and expectants thereon. It was a supposed adjudication of right, binding all persons and vesting a free and absolute fee-simple in the recoverer. By 3 & 4 Wm. IV. c. 74, recoveries were abolished.

RECRUITING. (See ENLISTMENT.)

RECTOR, *rek'-tor* (Lat., a governor).—In the Church of England a rector is a clergyman who has the cure of a parish, and possesses all the tithes, &c. A rector differs from a vicar, in that he has the right to all the ecclesiastical dues in his parish, whereas the vicar has generally an impropriator over him, who is entitled to part of the profits, and to whom he is in effect only perpetual curate. The name rector is also given to the chief elective officer in some of the universities, and also to the head-master of large schools or academies. The Jesuits likewise give this name to the superiors of their seminaries or colleges.

RECUSANTS, *rek'-u-sants* (Lat., *recuso*, I refuse).—Persons who refuse or neglect to

attend divine service on Sundays and holidays, according to the forms of the established church. Prior to the reformation, ecclesiastical censures were, from time to time, directed against those who absented themselves from the services of the Church; and in 1534, when the English parliament set aside the pope's supremacy, and declared Henry VIII. head of the Church, those who refused so to acknowledge the king were called popish recusants, and subjected to severe penalties. During the reign of Elizabeth, several statutes were passed, imposing fines, &c., upon such as neglected to attend their parish church. A recusant, after conviction, was called a "recusant convict." The laws against popish recusant convicts were of a very severe character, subjecting them to a variety of disabilities, penalties, and forfeitures. They were considered as persons excommunicated, could hold no office or employment, were not allowed to keep arms, could bring no action at law or suit in equity, were prohibited from coming within ten miles of London, and were not permitted to travel above five miles from home unless by license. Protestant dissenters were relieved from the penalties of recusancy by the Toleration Act (1 Wm. & Ma. c. 18), which, however, excepted papists and such as denied the doctrine of the Trinity. The former were subsequently relieved by 31 Geo. III. c. 32, and the latter by 53 Geo. III. c. 160; but, with these exceptions, the statutes against recusancy still exist, though never enforced.

REDEMPTION, *re-demp'-shun* (Lat., *re*, again; and *emo*, I buy).—In Theology, is used to denote our recovery from sin and death by the obedience and sacrifice of Christ, Who is on this account called the "Redeemer." Man having by sin fallen from the pure and upright state in which he was created, fell under the wrath and curse of God; but Christ interposed Himself in our behalf, offered Himself as a sacrifice to satisfy Divine justice, suffered the punishment due for sin, and thus redeemed man and restored him to the Divine favour.

REDEMPTORISTS, *re-demp'-to-rists*.—Is the name of a religious order among the Roman Catholics, founded by Alphonzo de Liguori, in the city of Scala, in 1732, and secured the approval of Pope Benedict XIV. in 1749. Besides the usual monastic vows, they bind themselves to labour for the propagation of the Catholic faith, more particularly among the loose and abandoned in towns and villages. They have several houses in England, and have busily pursued their mission in various parts of Ireland.

REDUCTION, *re-duck'-shun*.—In Scotch Law, the legal setting aside of a deed, thereby annulling its effect. The action to obtain a deed's reduction can only be instituted by a person who is interested in the matter—*i.e.*, has some title connected with it. He begins the action by summoning the defender to bring the deed into court, and sets forth his reasons for its reduction. The defender, if he defends the deed, returns the summons, which infers that he will produce the document and maintain its validity.

RE-ENTRY.—In Law, a term used in leases by which the landlord stipulates for power to re-enter the premises or estate if certain condition, such as non-payment of rent, are not complied with.

REEVE, *rec-ve*.—The name of a magistrate who in early times had much force in England, and in some parts of Northern Europe. His duties appear to have been to levy the lord's dues and to represent him on certain judicial matters. The word *sheriff* is but a corruption of the old word *shire-reeve*, who was at first assessor to the earl, but afterwards became the presiding officer himself. In the borough similar duties were performed by an elective officer called the Port-reeve, for whom the Normans substituted a personage called the bailiff, who is the larger towns was permitted to take the title of Mayor.

REFERENCE, *ref-er-ent*.—In Law, means the referring of a matter in dispute to the decision of an arbitrator: thus, if after litigation has begun, the judge thinks it better that the dispute should be referred to arbitration, an "order of reference," as it is called, is drawn up. In cases where it is agreed, before litigation has actually commenced, to submit the matter to arbitration, a deed of submission to arbitration is usually executed.

REFERENDARY, *ref-er-en-der-ry*.—A public officer formerly existing in most of the early kingdoms of Europe, whose duty was to procure and despatch charters and diplomas.

REFORM ACT, *re-form'* (from the Lat.).—The 2 & 3 Wm. IV. c. 45—"an Act to amend the Representation of the People in England and Wales," 1832. Before that time, various attempts had been made to carry measures for a reform in parliament. Mr. Pitt introduced a bill for that purpose in 1782, and again in 1783 and 1785; but was on each occasion defeated by considerable majorities. Sir Francis Burdett's plan was negatived by a majority of 59, on 15th June, 1809, and Mr. Daniel O'Connell's measure for introducing triennial parliaments, universal suffrage, and the ballot, was rejected by a majority of 306. The first ministerial measure of reform was during Earl Grey's administration, and was brought into the House of Commons by Lord John Russell, 1st March, 1831. On 22nd March, a majority of 1 declared in favour of the second reading; but on the motion for a Committee, an amendment by General Gascoyne, "that the number of representatives for England and Wales ought not to be diminished," was carried by a majority of 8, and the bill was consequently abandoned, and parliament dissolved 22nd April. A new parliament was assembled, and the bill was again introduced on the 23th June. It passed the Commons with large majorities, but was rejected in the Lords on the second reading by a majority of 41. A new bill was introduced by Lord John Russell on 12th December, and passed its first reading without a division. The second and third readings were carried by majorities of 162 and 116 respectively. In the House of Lords the bill was read a first time on 26th March. The second reading was carried by a majority of 9; but on a motion in committee by Lord Lyndhurst, "that the question of enfranchisement should precede that of disfranchisement," the ministry were in a minority of 35, and in consequence resigned on 9th May. The public excitement was now very great, but the ministers were induced to resume their offices on receiving power from the king to create a sufficient number of new peers to secure a majority in the House of Lords. The bill passed the Lords' committee 30th May, and it passed the third reading on 4th June by a

majority of 84, 106 being for, and only 22 against. It received the royal assent on 7th June. By this Act, 36 boroughs in England and Wales were disfranchised, 30 were reduced to one member only, 22 new boroughs were created, with two members each, and 20 with one member; while various other important changes were made. The Scotch Reform Act (2 & 3 Wm. IV. c. 65) obtained the royal assent on 17th July, and that of Ireland (2 & 3 Wm. IV. c. 88) 7th August, 1832. Several attempts were since made to introduce further reforms in Parliament. Lord John Russell obtained leave to bring in a new reform bill 13th February, 1854; but in consequence of the war with Russia it was withdrawn on the 11th April. Mr. Disraeli's Reform Bill was thrown out on the second reading by a majority of 39, on 31st March, 1859; and the new Reform Bill introduced by Lord John Russell 1st March, 1860, was withdrawn on 11th June following. Lord Beaconsfield (then Mr. Disraeli) carried the new Reform Act in 1867. (See ELECTION OF MEMBERS under the heading PARLIAMENT.)

REFORMATION, *ref-or-may-shun* (Lat., *re*, and *forma*, 1 form).—The act of reforming or correcting an error or abuse in religion, discipline, or the like. It is, however, commonly applied to that great religious revolution which took place in Europe in the early half of the 15th century. Various attempts had been made at earlier periods to reform the Church, but they had either failed, or their influences were very circumscribed. The intimate connection which the papacy maintained with all established authorities had defeated every serious attempt at opposition. The people, too, were sunk in the deepest ignorance and superstition. At length, however, men's minds, after a slumber of so many centuries, awoke to see the errors and corruptions that had crept into the Church, and seemed as if they would redeem, by extraordinary activity, the time they had lost. "On every side signs might be observed, and events were pressing onward, which threatened to subvert what had been the work of ages of darkness, and to usher in among mankind a new time." "Everywhere, alike above and beneath, a hollow noise seemed to reverberate, and to harbingering the thunderstorm that was about to burst forth." "The art of printing had given wings to speech, which bore it as the wind bears certain seeds to the most remote places. The discovery of the two Indies had enlarged the world. All announced a great revolution."—(*D'Aubigné*.) The sale of indulgences and the abuses to which it gave rise, was the spark which, without design or premeditation on the part of any concerned, set this combustible mass in blaze. Pope Leo X., in order to replenish the pontifical exchequer, had, in 1516, granted to Albert, elector of Mentz and archbishop of Magdeburg, the right to sell indulgences within his own jurisdiction, on condition of his receiving a share of the proceeds. In this business the archbishop employed, among others, John Tetzel, a Dominican monk, remarkable for his boldness and impudence, and whose conduct aroused the deepest opposition. He represented his indulgences as unconditional promises of forgiveness of sins, even of the deepest dye, in time and in eternity, and disposed of them for a few pence among the ignorant multitude. Luther, at this time professor of theology and a preacher at Wittenberg, boldly declared against this abuse, first in his sermons and after-

wards, according to long-established academical usage, by affixing to the door of the great church of the town ninety-five theses or questions, and appointed a day for their discussion; but no opponent made his appearance. His sermons against indulgences were published, and together with his theses were soon spread over Germany. He further urged his spiritual superiors and the pope to put a stop to the traffic in indulgences, and to reform the corruptions of the church in general, in letters at once bold and respectful. His efforts, however, met with little success; on the contrary, the most absurd libels were put forth against him. The severe replies in which he exposed the weakness of the arguments for indulgences, and his "Resolutions," by which he illustrated his theses, gained him new converts to the truth. Luther was summoned to Rome, to plead his own cause; but the elector of Saxony interposed, and obtained permission for him to be examined within the bounds of the empire; and accordingly Cardinal Cajetan was ordered to examine him. The cardinal, however, instead of arguing with him, assumed an imperious tone, and demanded his submission to the pope. This, however, Luther declined to do, and suddenly quitted Augsburg. In the same year a papal bull was issued, declaratory of the doctrine of indulgences. A new legate, Miltitz, was appointed to endeavour to bring Luther to a reconciliation, and a conference took place at Altenburg in the beginning of 1519. The conciliatory measures of Miltitz had so far their effect that Luther was induced to write a submissive letter to the pope, acknowledging that his zeal had carried him too far, and promising to observe silence upon the points in dispute in future, provided his adversaries did the same. The contest, however, was renewed by Eck, who challenged Carlostadt, one of Luther's disciples, to a public disputation at Leipzig concerning free will. The discussion was continued by Luther, and lasted for several weeks, embracing the supremacy of the papal see, purgatory, indulgences, absolution, &c. Though nothing was decided, a more general attention was attracted to the works of Luther, who continued to send forth pamphlets and printed sermons. The fulness and power of his style, his merciless humour, his acuteness and learning, and the irresistible force of his reasoning, made his works popular, and gained him the public adherence of men like Melancthon and Hutten. As he began to see more clearly, he attacked other doctrines of the church—as absolution, auricular confession, purgatory, &c.; and in June, 1520, published his famous "Appeal to his Imperial Majesty, and to the Christian Nobility of the German Nation, on the Reformation of Christendom." Rome, at length, began to hestitate in earnest, and a papal bull was issued against Luther, and immediately after appeared his work on the "Babylonian Captivity of the Church." Ulrich Zwingli, the Swiss reformer, now came into the field, and published a work replete with wisdom and dignity, and recommending the adoption of conciliatory measures towards Luther. Luther replied to the bull in his publication entitled "Against the Bull of Antichrist" (Nov., 1520). He protested against the pope's proceeding, and appealed to a general council. While his works were burned in Mentz, Cologne, and Louvain, he publicly committed to the flames the papal bull, with the canons and decrees, amid the rejoicing of the students at

Wittenberg. Luther now formally separated himself from the Church of Rome, and many of the principal nobles, men of learning, scholars at the universities, and others, publicly declared in his favour. The Emperor Charles V., was urged by the pope to punish Luther as a heretic; but the elector of Saxony prevailed so far as to have Luther tried by an imperial diet. The diet assembled at Worms in April, 1521, and Luther, notwithstanding the remonstrances of his friends, made his appearance, declaring that he would attend the diet "if there were as many devils in Worms as there were tiles on the houses." He pleaded his cause with ability; but the emperor and the majority declared against him, and he was placed under the ban of the empire. He found an asylum in Wartburg, where he remained for ten months, while the war with France and other political matters withdrew the emperor's attention from the religious affairs of Germany, and Luther lived in safety under the protection of the elector of Saxony. One of the fruits of his retirement was his translation of the New Testament, which was soon after followed by that of the Old, and his liturgy. Already, in almost every part of Germany, the Reformation had its champions. Melancthon had published his "Loci Communes," the first, and for a long time the best, exposition of the Reformed doctrines. "In many parts of Northern Germany and the adjacent countries, it obtained the ascendancy; in East Friesland, since 1519, in some towns of Pomerania and Livonia, and in Sillesia since 1522, in Prussia and Mecklenburg since 1523. In Denmark and Sweden the number of converts was already considerable. It met with equal success among the people in the free towns. Thus, by the decision of the townsmen, it prevailed at Frankfort-on-Maine, in Schwerin, Halle, Magdeburg, in 1523; in Ulm, Strasburg, Bremen, and Nuremberg, in 1524. But there were few towns in which it did not stir up a hazardous struggle against the old constitution of the Church."—(Gieseler.) Translations of the Bible into French and Dutch now appeared, and in the very heart of France, at Meaux, a Lutheran church was organised. In vain did the Sorbonne condemn the principles of Luther; in vain was the execution of the edict of Worms against religious innovations resolved upon at the diet of Nuremberg in 1524, and the convention of Ratisbon; in vain did George duke of Saxony, Henry duke of Brunswick, Austria, France, Spain, and the spiritual princes of the empire, labour by persecution to suppress the Reformation. In 1535, John, successor of Frederick in the Saxon electorate, Philip, landgrave of Hesse, and Albert of Brandenburg, duke of Prussia, publicly declared themselves Lutherans. The absence of the emperor during this period contributed to the spread of the Reformation with such astonishing rapidity. In 1528, rumours of a secret alliance of the Catholic states against the Protestant led to their uniting themselves more closely, and forming a distinct political party. Melancthon was employed to draw up a full exposition of the Lutheran doctrines, which was subscribed by the several Protestant princes, and transmitted to the emperor, at the diet of Augsburg, in 1530, where it was solemnly read before a full assembly, and hence was called the "Augsburg Confession" (which see). The German Protestants were united by common political interests, and a common creed, contained in the "Augsburg Confession" and its

"Apology," and illustrated by the articles of Smalcald and the two catechisms, and finally confirmed in 1550, by the "Form of Concord." The same need of reformation in the Church, which excited the zeal of Luther in Germany, induced many distinguished and learned men in Switzerland and the Netherlands, in France and England, to take up the same cause. Among the Swiss, Ulrich Zwingli and John Ecolampadius were the most prominent. In Switzerland the Franciscan, Bernard Samson, proclaimed the efficacy of his indulgences in the same gross and shameless manner as Tetzel had done; but when he came to Zurich, where Zwingli was a religious teacher, the latter attacked him, and the council of Zurich seconding his zeal, Samson was driven out of the city. In vain did a papal nuncio labour to put down the reformer, and in vain did the Swiss confederacy threaten him. In 1523 he published his sixty-seven propositions in German, and a public disputation was held at Zurich respecting them, when he maintained his ground with ability, and gained a number of adherents. At the diet of Lucerne, 1524, the confederacy threatened to exclude Zurich from the council; but he stood firm, and the town of Muhlhausen soon declared in favour of the new doctrines. Capito (Koeelin) introduced the Reformation into Basle, and Ecolampadius continued the work. In 1526 a religious disputation took place, when Ecolampadius maintained the contest against a large number of vehement Catholics, among whom John Eek was most prominent. Berne resolved upon another disputation in 1528, though against the will of the other cantons; but nothing was settled beyond diffusing the doctrines of the Reformation. These spread more and more, notwithstanding all the resistance of the Catholic cantons, who at length, in 1531, renounced all connection with the Protestants. At the diet of Augsburg, in 1530, Zwingli also presented his confession of faith, generally known as the "Confession of Strasburg," which was one of the cities represented by him. He and his adherents, however, refused to sign the confession of Augsburg, and did not join the league of Smalcald. The disputes between Luther, Zwingli, and their followers, were carried on with great animosity and obstinacy on both sides, and for a time threatened seriously to retard the work of the Reformation, more particularly respecting the presence of the body of Christ in the sacrament. The followers of Zwingli came to be known as Evangelicals, or Reformed Church. After the death of Zwingli and Ecolampadius, a greater than either rose up to take the lead of the reformed party—namely, John Calvin, who, being obliged to flee from France on account of his opinions, found an asylum in Geneva, where he speedily acquired the greatest influence. In some of his doctrines he differed somewhat from Zwingli, but gradually the two systems merged together. (See CALVINISM.) The war between the emperor and Protestants of Germany at length terminated in the peace of Augsburg, 1555, which gave to the Protestants of Germany who followed the Confession of Augsburg perfect liberty to enact laws for themselves relating to their religious sentiments, discipline, and worship, and entire freedom from the authority and jurisdiction of the Roman pontiff. The peace, that was thus established, was many years after broken by the Thirty Years' War (1619-48); but the treaty of Westphalia, by which it is terminated, confirmed the

conditions of the peace of Augsburg, and extended its benefits to the Reformed as well as the Lutheran Church. The doctrines of the Reformation penetrated to some extent into France, as well as into Spain and Italy; and at the time of their separation, the seven United Provinces proclaimed liberty of conscience, and declared for the doctrines of the Reformed Church. Lutheranism was adopted as the state religion of Denmark and Norway about 1556. In England, Lutheranism was established in 1547; in Scotland, Presbyterianism in 1560. In Transylvania the Lutheran Confession prevailed; in Hungary, Calvinism entered with it; and in Poland, who the Reformation had found numerous adherents, the two Protestant parties concluded a convention at Sendomir in 1570, which united them in one political body, under the name of Dissidents. Whatever opinions may be formed respecting the truth or falsehood of the Reformed doctrines, it is indisputable that the Reformation has been of incalculable benefit in the cause of civil and religious liberty, of enlightenment, and of morality. The human intellect was bound down with fetters to a church which was itself sunk in profligacy and gross immorality. The change was effected not only on those who left, but even on those who remained connected with the Church of Rome. "The desire of equalling the Reformers in those talents which had procured them respect; the necessity of acquiring the knowledge requisite for defending their own tenets or refuting the arguments of their opponents; together with the emulation natural between two rival churches, engaged the Roman Catholic clergy to apply themselves to the study of useful science, which they cultivated with such assiduity and success, that they have gradually become as eminent in literature as they were in some periods infamous. The same principle occasioned a change, no less considerable, in the morals of the Romish clergy. Many of them have in consequence been distinguished for all the accomplishments and virtues which can adorn their profession, and differ greatly from their predecessors before the Reformation, both in their maxims and in their conduct."

REFORMATORIES.—Training institutions established with the view of reforming juvenile offenders. Robert Young, the founder of the Philanthropic Society, commenced his efforts on behalf of the children of criminals in 1788, and took in succession four small houses at Hackney for their reception, placing in each a mechanic or artisan to instruct them in useful labour. The first reformatory proper, however, was founded by Johannes Falk, a native of Dantzic, about the year 1813, being avowedly a refuge for criminal children and the children of criminals. Other small establishments of the same kind followed in different parts of Germany, and in 1824 the "Society for the Education of Children Morally Neglected" was founded in Berlin. In 1826 the state legislature of New York passed an act for "incorporating a Society for the Reformation of Juvenile Delinquents in the city of New York," and the refugees soon became an important feature in the United States. In 1839 the famous reformatory of Mettrai, near Tours, in France, was established by M. De Metz, formerly a councillor at Paris, and who was warmly seconded in his beneficent work by the Vicomte de Courcelles, who gave the estate on which the establishment is placed.

The Reformatory of Redhill, near Reigate, Surrey, was established by the Philanthropic Society, the foundation-stone being laid by the Prince Consort, 30th April, 1849. The number of boys in the establishment at one time is usually about 260; and they are divided into five sections or families, each having a separate house, and a master, or "father." The boys learn and work alternately, one half being at school while the other half are at work. Besides farm-work, they are employed as shoemakers, tailors, brickmakers, &c. The farm extends to about 240 acres. The articles required for the establishment are, as far as possible, home-made; besides which a considerable quantity are made or produced for sale. In 1852 the North-West London Preventive and Reformatory Institution, in the New Road (now perhaps better known as the Euston Road), was established; and here all kinds of trades are taught. Various provisions are made for the establishing or licensing of Reformatories, and authorizing judges and magistrates to send juvenile offenders there, by acts 17 & 18 Vict. c. 106, 18 & 19 Vict. c. 87, 19 & 20 Vict. c. 109, and 20 & 21 Vict. c. 55. The secretary of state for the Home Department is authorized, upon application made to him, and after inspection by one of her Majesty's inspectors of prisons, to certify under his hand and seal that a school or institution for juvenile offenders is suitable for that purpose, and it is lawful for any court, magistrate, or justice of the peace, to send any person under sixteen years of age convicted before him of any offence to such institution, for a period not less than two, nor more than five years, in addition to the legal punishment. But no offender can be sent to any such institution unless the sentence be one of imprisonment for fourteen days at the least; and, further, the parent or step-parent, if of sufficient ability, shall be liable to contribute to his or her support or maintenance such sum, not exceeding five shillings a week, as the justice or magistrate may think reasonable. In 1854 an act was passed authorizing magistrates in Scotland to commit vagrant children whose parents do not find security for their good conduct to certified reformatory schools. In 1875 there were 62 Reformatories in Great Britain, with 4,803 boys and 1,185 girls.

REFORMED CHURCH, *re-for'mul*.—In its most general sense, this term comprises all those bodies of Christians which have separated from the Church of Rome since the Reformation; but in a more restricted sense, it is applied to those Protestants who separated from the Church of Rome at the time of the Reformation, but who did not adopt the principles of Luther, being followers of Zwingli, Calvin, &c. (See INFORMATION.)

REFUGEE, *ref-u-jee'* (Fr., from Lat., *refugio*, I flee).—One who flees to a place for shelter or protection; one who, in times of persecution or political commotion, flees to a foreign country for safety. The term was first applied to the French Protestants who, by the revocation of the edict of Nantes, were constrained to fly from persecution and take refuge in foreign countries.

REGALIA, OR RIGHT OF REGALE, *reg-a-lia* (Lat., from *rex*, king).—In general language, the privileges connected with the sovereign power. Politically, the term signifies the privileges, prerogatives, and right of property

belonging in virtue of office to the ruler of a state. These regalia are also called *regalia majora*, comprehending that which relates to the sovereign's power and dignity; and *regalia minora*, that which relates to his *fiscal* or pecuniary prerogatives—as, in some countries, waifs, strays, newly-formed land, &c. As states and governments have advanced in civilization, the exact idea of regalia has been largely influenced both by ignorance on the one side and force on the other. In some of the German states, the precious metals and stones were formerly looked upon as the exclusive property of the sovereign; and at the present day, a citizen has not, in all countries, the right to work mines on his own property.

Ecclesiastically, the *Right of Regale* or *Regalia* means a right claimed by kings to the presentation of benefices, and also to the revenues of vacant benefices, and the right to keep the benefice vacant in order to obtain the revenues. This right has frequently been a subject of dispute between kings and popes.

REGALITY, *ree-gal'i-ty*.—A kind of jurisdiction formerly existing in Scotland, and answering somewhat to a Palatinate in England, in which the king gave over a district or territory to a powerful noble, called a Lord of Regality, to rule with a strong hand. These jurisdictions were abolished in the reign of George II.

REGENERATION, *ree-jen-er-ay'-shun*, (new birth).—In Theology, a term meaning the spiritual change which is believed to be wrought in all persons on becoming true Christians. Various branches of the Christian Church give somewhat different meanings to the term, and much discussion has arisen among theologians concerning it. The doctrine is founded principally upon the words of Christ to Nicodemus, "Except a man be born again, he cannot see the kingdom of God, &c." There are also other and similar passages. It is held that man is so estranged from God by nature, that a radical spiritual change is necessary, and that this spiritual change (regeneration) is produced by the omnipotent power of the Holy Spirit working within him and upon him. Regeneration is distinguished from conversion in that the latter is held to be the act of the individual turning from sin to seek the Divine pardon and the Spirit of God, while regeneration is the act of the Spirit of God upon the soul of man. (See BAPTISM.)

REGENT, *ree-jent* (Lat., *rego* I rule).—A ruler who governs a kingdom during the minority, absence, or disability of the king. In most hereditary monarchies, the doctrine is that the office belongs to the nearest relation of the sovereign capable of undertaking it.

Regent in a University, signifies a teacher of arts and sciences in a college, having pupils under his care; but is generally confined to the lower classes, the teachers of the higher being called *professors*. In the English universities, the term is applied to masters of arts under five years' standing, and to doctors under two, as non-regent is to those above that standing.

REGIAM MAJESTATEM, *red-je-am-may-jes-tay'-tem*.—The name of an ancient collection of laws, said to have been gathered together by order of David I. of Scotland. This, however, is disputed, some authorities saying that it is in reality a compilation from the *Angiam Potestatem* (an English work by Glanville) ordered by Edward I., who wished to make the Scotch law similar to the English.

REGICIDE, *ree'-e-side*, (Lat. *rex*, a king;

caedo, I slay).—A king-slayer. The word is used also for the act of slaying a king. The term is most generally employed in reference to the persons concerned in the trial, condemnation, and execution of Charles I.

REGIMENT, *rej'-ment* (Fr.).—In Military language, a body of troops, either horse or foot, forming the third subdivision of an army. A brigade is formed by uniting two or more regiments or battalions; and two or more brigades form a *corps d'armée*. Every regiment is commanded by a colonel, a lieutenant-colonel, and a major; and when a regiment is divided into two or more battalions, each of them has, when complete, its own lieutenant-colonel and major. It is not certain at what time the term regiment was first applied to bodies of troops, but it seems to have been in general use in France after the middle of the 16th century. In this country, from Queen Elizabeth's reign, the English army has been invariably divided into regiments; and this practice has been followed by most of the nations of Europe. (For further details concerning the regiments of the British army, see *ARMY*.)

REGISTER, LORD or LORD CLERK
REGISTER.—An officer of state in Scotland who keeps the national archives. He is assisted by a resident deputy, and now holds the office for life, though before 1777 it was only held at pleasure. The duties and payments of the Lord Clerk Register and his deputy are now regulated by an Act passed in 1879.

REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES, *rej-is-trai'-shun*.—The first known public injunction respecting the keeping of parish registers was issued by Lord Cromwell, secretary to Henry VIII., in 1538, directing that every clergyman shall keep a register-book of his parish, wherein he shall enter every Sunday a written record of the dates and names of the weddings, christenings, and burials of the preceding week. In 1547 (1 Edw. VI.) a similar injunction was issued, and visitors appointed to go through the different dioceses, and see that that and other orders were complied with. In the first year of Queen Elizabeth's reign a similar injunction was issued. In 1597 an institution was made by the archbishop, bishops, and clergy of the province of Canterbury, and approved by the queen, remarking on the very great utility of parish registers, and giving minute directions for keeping them, and for the transmission of a transcript yearly to the diocesan register. In 1653 an act was passed, directing that in every parish a register-book should be provided for registering all marriages, births, and burials in the parish; and that the duty of registration devolve on a person to be called the parish registrar, appointed by the parishioners chargeable to the poor, and approved by a justice of the peace. This act was not confirmed at the Restoration, and during the reigns of Charles II. and James II., nothing further was done. The act 6 & 7 Wm. III., c. 6 (1694), entitled "An act for granting to his Majesty certain Rates and Duties upon Marriages, Births, and Burials, and upon Bachelors and Widowers for the term of five years, for carrying on the war against France with vigour," was passed merely for purposes of revenue. The 52 Geo. III., c. 146 (1812), was for "the better regulating and preserving parish and other registers," and directed that the registers

of each parish shall be kept by the officiating clergyman, in books to be provided by the king's printer, at the expense of the respective parishes. These provisions being found to be very inadequate, a select committee of the House of Commons was appointed in March, 1833, and, in accordance with their report, a bill was brought before Parliament, and became law, 6 & 7 Wm. IV. c. 86. The Act entitled, "An Act for registering Births, Deaths, and Marriages in England," came into operation on 1st July, 1837. Among the most important provisions of this Act was the providing a general register-office in London, presided over by an officer named the Registrar-General, and having general superintendence over everything relating to registration. The Registrar-General is appointed under the Great Seal, and has the direction and superintendence of the entire system. A superintendent registrar is appointed for every district, which is usually identical with a poor-law union, and is generally the clerk of the guardians. He receives quarterly from each registrar within his district certified copies of births, deaths, and marriages registered by him, and, having verified their correctness, transmits them to the Registrar-General. He has also the charge of all the register-books within his district, when filled. The registrar of births and deaths is a local officer appointed in poor-law unions by the board of guardians. The registrar of marriages is a local officer, appointed by the superintendent registrar, and acts solely within his district, which is the same as that of the superintendent registrar by whom he is appointed. He registers marriages not solemnized according to the forms of the Established Church, either in registered places of worship or in the district register office. Two inspectors are constantly employed in visiting every district, to see that the duties of the various registration officers are properly performed. Registrars are required to inform themselves carefully of every birth and death which shall happen within their district, and register the same, with the various particulars required, according to the forms laid down for that purpose. Every entry must be signed by the informant and registrar; the former, in the case of a birth, is required to be one of the parents, or the occupier of the house in which the birth took place. In the case of a death, it must be some one who was present at the death, or in attendance during the last illness; failing whom, the occupier or an inmate of the house in which the death occurred. Marriages according to the forms of the Established Church are registered by the officiating clergyman—according to the ceremonies of the Quakers or Jews, by the registering officer of the Quakers or secretary of the synagogue respectively. They are registered in duplicate, and every entry requires to be signed by the clergyman, or the registering officer, by the persons married, and by two witnesses. Certified copies are delivered quarterly to the superintendent registrar of the district for transmission to the Registrar-General. The certified copies of all the registers are transmitted to the General Register Office in London and there arranged and indexed, so that a copy of an entry of any registered birth, death, or marriage, in any part of England or Wales, may be obtained in London at the trifling cost of 3s. 6d. One of the most important features of the present system is in registering the causes of death; and in order to secure as far as possible uniformity of nomen

clature, a particular nosological classification of diseases is observed. (*See* **NOSOLOGY**.) The annual reports of the Registrar-General, which are laid before Parliament, contain a vast mass of information upon various subjects connected with vital statistics. Besides detailed abstracts of the births, deaths, and marriages of each year are given tables of the fatal diseases, classified in combination with ages, comments upon the salient points of the year's registration accompanying the whole. A new Registration Act for births and deaths was passed in August, 1874, and came into operation 1st January, 1875, by which the registration of Births, Marriages, and Deaths is rendered compulsory. Quarterly reports are also published relating to England and Wales, and a weekly report relating to London. The cost to the country of the registration system is about £100,000 per annum, of which about £35,000 are defrayed from the poor-rates, and the remainder out of the public revenue.

In Scotland, the institution of parish registers dates from 1557. Various orders of the General Assembly and Acts of the Scotch Parliament were passed on this subject; but the system was in a very inefficient state till the passing of 17 & 18 Vict. c. 80, entitled, "An Act for the better Registration of Births, Deaths, and Marriages in Scotland." It established a general registry-office in Edinburgh, with a registrar-general and other provisions similar to those existing in England, and those on whom the duty devolves are required to furnish the registrar with the necessary information respecting any birth, death, or marriage, under a penalty.

In Ireland, the want of a complete measure of registration was felt for many years, but the new Births and Deaths Registration Act passed in August, 1860, has done much to improve matters. In 1841, an Act was passed for the registration of marriages, but it is of little practical value, as the marriages of Roman Catholics, who form the majority of the population, are excluded from its provisions.

Methods of Registration—Penalties for Non-Registration.—By the Act recently passed, 31, 32, Vict. c. 123, the previous statutes in this subject were repealed, and a General Register Office in London was established, and a Registrar-General of Births, Deaths, and Marriages in England was appointed. The first to occupy this post was Major George Graham, who was succeeded in January, 1869, by Sir Brydges Henniker.

Registration of Births.—According to recent enactments, the father, mother, or the occupier of any house in which a child is born must give information of such birth to the registrar of the district within forty-two days from date of birth. If required, further information, such as name and surname of the father, maiden name of the mother, and rank, profession, or trade of the father, must also be given; the person giving it must enter his or her name in the register, otherwise it cannot be received as evidence; and any one knowingly causing a birth to be registered otherwise than as mentioned after forty-two days, is liable to a penalty of £30. No payment can be legally required of any informant respecting a birth, and no one shall knowingly cause a birth to be registered after six calendar months—except in the case of children born at sea—under a penalty of £30. If such registration is made, it will not be received as legal evidence; and if any one wilfully makes a false statement, that person is liable to the penalties of perjury. The Scotch law is much the same as the English; but if a registration of an illegitimate child be made, and the parent subsequently married, an entry of such marriage shall be placed on the margin.

Registration of Deaths.—It is incumbent upon some one present at the time of death, or some inmate of the tenement where the death occurred, to give notice to the registrar of the district within five days of the event, and within eight days must also give information (to the best of his or her belief) as to the cause and day of death, the name, surname, age, sex, and

rank or occupation of the deceased. No fee is to be given by the informant, who must sign his or her name in the register, otherwise the entry cannot be used as evidence. Undertakers or others performing funerals without the registrar's certificate of death are liable to penalties, and any false statement made by an informant is punishable as perjury. In Scotland the Acts are even more stringent, and deaths must be registered within eight days.

Registration of Marriages.—The officiating clergyman who performs a marriage in the Established Church is obliged to register the marriage in duplicate according to a form prescribed by law, giving date, names, surnames, &c., and one of which duplicates he is to forward to the superintendent registrar. Other marriages must take place in a registered building (and most of the Nonconformist chapels are so registered), or in the superintendent registrar's office: in both of these cases the registrar must be present or the superintendent registrar in his office, and either he or the registrar registers the marriage.

REGISTRATION OF DEEDS.—The Act 2 and 3 Anne, c. 4, provided for the public registry of all deeds, conveyances, and wills affecting any lands in the West Riding of Yorkshire; 6 Anne, c. 35, established a similar register of deeds and wills in the East Riding of Yorkshire and the town of Kingston-upon-Hull; 7 Anne, c. 20, established such a register for Middlesex; and 8 George II. c. 6, one for the North Riding of Yorkshire. These registers are not so useful as they might be made, on account of deficiencies and irregularities. A registration of wills has been long established; and the Act for abolishing fines and recoveries (3 and 4 Wm. IV. c. 71) substitutes for them a deed which is enrolled in the Court of Chancery. The Act 1 & 2 Vict. c. 110, provides that no judgment or decree shall affect lands until registered in the Court of Common Pleas. The want of a general system of registration, however, has been much felt in England. The new "Transfer of Lands Act" (25 and 26 Vict. c. 53) establishes a registry for the registration of the titles to estates, freehold tenures, and leasehold estates in freehold lands. It declares that persons described in the record of title shall be deemed to have the property therein named absolutely and indefeasibly, subject to such exceptions or qualifications as are mentioned in the record of title. Before final registration, the applicant, and his solicitor or agent, are to make oath that all deeds, charges, incumbrances, &c., have been, to the fullest extent of their knowledge, made known to the registrar, who may call for further evidence or refuse to register. The registrar is required to give notice of registration to persons entitled to any charge or incumbrance, the owner of which has not had notice of the application. The registrar is also to deliver, on request, to the owner of an estate, a land certificate, containing a description of the lands, with all the entries relating thereto, every such land certificate to be evidence of the matters therein contained; and estates described in such certificate may be conveyed or charged by endorsement in a prescribed form; and the deposit of a certificate is to create a lien, in the same way as the deposit of title-deeds.

Registration of Shipping.—On the Thames was commenced in 1786, and in the following year it was extended to England. Several Acts have since been passed for keeping and improving these registers.

Registration of Voters was established by the Reform Act of 1832, and also by the Acts of 1868.

REGIUM DONUM, *re-je-um do-num* (Lat., royal gift).—A sum of money formerly

voted annually by Parliament, out of the national exchequer, to aid certain bodies of Presbyterians in Ireland in providing stipends for their ministers. It was first granted in 1672 by Charles II., who gave £500 out of the "secret service money" to be distributed annually, in equal portions, among the Presbyterian ministers. It was discontinued towards the end of his reign, and during that of James II., but was renewed by William III., who augmented it to £1,200 a year. It was then increased from time to time, till it amounted to upwards of £40,000 per annum, distributed in sums of £100 and £75 (late Irish currency) to each minister. It was divided among six different bodies of Presbyterians—viz., (1) the General Assembly, comprising the two bodies formerly known as the Synod of Ulster and the Synod of Seceders; (2) the Secession Synod; (3) the Remonstrant or Unitarian Synod of Ulster; (4) the Presbyterian Synod of Antrim; (5) the Synod of Munster. The Reformed Presbyterian Synod did not participate in this grant. It was withdrawn in 1871 by the Act which disendowed the Irish Episcopal Church.

REGRATING, *ree-gráy-ting*. (See **FORE-STALLING**.)

REGULAR CANONS.—A name adapted from the Latin *Canonici Regulares*, meaning canons bound by rule, and given to those canons which adopted the reform of the cathedral clergy, introduced in the 11th century. (See **CANON IN THE CHURCH**.)

REGULARS, REGULAR CLERGY.

—A term meaning that portion of the Roman Catholic clergy who form part of the monastic orders and thus live under an approved rule. The word comes from the Latin *Regulares*, meaning "persons bound by rule." The term is used to distinguish them from the "secular clergy" who are engaged in ordinary parish work.

REGULATIONS, NAVAL AND MILITARY.

—Rules issued for the guidance of naval and military officers in those cases which cannot be left to individual discretion and when uniformity of practice is necessary, thus there are the rules for drill for infantry, cavalry, and for the artillery in the field and on board ship. Then there are the regulations concerning discipline and finance, and the directions for paymasters and purveyors, &c., issued from the war office.

REIS EFFENDI, *reis ef-fen-di*.—The title of a Turkish officer of state. He is the minister of Foreign Affairs and the Chancellor of the Ottoman Empire. In the former capacity, he has the sole charge of the relations of the Porte with foreign courts; and in the latter capacity, he confers with the grand-vizier concerning the instructions for the various provinces.

REJOINDER, *re-join'-der*.—In English Law, means the allegations by a defendant in answer to the plaintiff's replication—i.e., answer to his plea. Thus the plaintiff's first statement is called his declaration; the defendant's answer to this is called his plea. The plaintiff's next statement is called replication, and the defendant's answer to this is the rejoinder. Then come surrejoinder and rebutter, &c. (See **PLEADINGS**.)

RELATIVE RANK.—In the Army and Navy, is the rank or precedence which certain

officers are entitled to take among their brother officers without actually fulfilling the duties attached to that rank. Thus a naval surgeon has the rank of a naval lieutenant; again, a naval lieutenant of 8 years' standing is entitled to rank with a major in the army. (See **RANK**.)

RELEASE, *re-leas'* (Fr., *relaisser*).—In Law, is a discharge of a right, which may be either in lands or tenements, or of actions, or things personal. The former is a conveyance of a man's right in lands or tenements to another that has some vested estate in the lands. The person who quits or renounces the right is the releasor; he in whose favour the right is renounced is the releasee; while the operative words of the deed are "ramit, release, renounce, and for ever quit claim." There can be no release unless the releasee has some estate in or right to the thing which is the object of release. Releases may occur in various ways:—1. By way of enlarging an estate, as where there is a tenant for life or years, with remainder to another in fee, and he in remainder releases all his right to the particular tenant and his heirs: this gives him the estate in fee. 2. By way of passing an estate, as where one of two coparceners releases all his right to the other: this passes the fee simple of the whole. In both these cases there must be privity of estate between the releasor and the releasee—i.e., one of their estates must be so related to the other as to make but one and the same estate at law. 3. By way of passing a right, as if a man be disseised and releases to his disseisor all his right. 4. By way of extinguishment, as if a lease be made to two persons, one may release the other before entry, and the release does not operate by enlargement, but by extinguishment of a right. 5. By way of entry and feoffment, as if there be two joint disseisors, and the disseisee release to one of them, he shall be sole seised, and shall keep out his former companion. A release may also be the giving up or discharging of a right of action or suit which one man has against another. This may be either by act of law or by deed. A release "of all demands" is good against all sorts of rights, titles, actions, &c., that exist at the time of the release; but it does not extend to anything which is not a demand at the time, but afterwards becomes one.

RELEVANCY, *rel'-evan-sy*.—A term in Scotch law, meaning that a plea is well founded in point of law, provided that it be true in fact.

RELICS, *rel'-iks* (Lat., *reliquie*, things left).

—In the Roman Catholic Church, is a name given to the remains of the bodies or clothes of saints and martyrs, which are held in great reverence. Many of them are believed to have performed the most extraordinary miracles, and they are therefore preserved with the greatest respect near the altars of their churches. Veneration for relics appears to have originated in the practice adopted in the early church, of assembling from time to time for acts of worship at the tombs of the saints or holy men, and frequently erecting chapels or sanctuaries on the spot. Hence it came to be common to deposit relics under the altars of churches, and Ambrose refused to consecrate a church because it had no relics. The rage for relics became so excessive, that the Emperor Theodosius the Great had to pass a law forbidding the digging up of the bodies of martyrs, or the trafficking in their re-

mains. The veneration for relics became a kind of worship. Numerous miracles were given out as having been wrought by them; and long pilgrimages were performed to them. Pope Gregory I. displayed a great veneration for relics; and from that time, all through the Middle Ages, they became the objects of the most absurd superstitions and the most shameless traffic. Legs, arms, bones, skulls, teeth, &c., of saints were multiplied without end; and pieces of the holy cross were to be found in all parts of Christendom. Among the relics exhibited, were a quill from the wing of the angel Gabriel; a piece of the apron of the butcher who killed the fatted calf on the return of the prodigal son; a branch of the tree on which Absalom was suspended by the hair; a piece of the fishing-net of St. Peter. The Church of Rome still countenances the veneration of relics, and maintains that miracles are still wrought by them.

RELIEF, *re-leef* (Lat., *relevium*, from *relevare*, to raise up).—In Law, was a sum of money paid to the lord of a feudal tenure on the admission of a fresh tenant, who was thus said to take up the fief, which had fallen to the lord by the death of his predecessor. It was a relic of the ancient system, when the succession depended upon the will of the lord, who, for the renewal of the feud, exacted a fine or acknowledgment in horses, arms, money, or the like. This continued after the succession became matter of right. With the other incidents of feudal tenure, it was abolished by the statute 12 Car. II.

Relief is also a term in common use, denoting the pecuniary help given to a pauper, under the provisions of the poor-laws. (See **RELIEVING OFFICER**, **POOR LAWS**.)

Relief Synod. (See **UNITED PRESBYTERIANS**.)

Relieving Officer.—An officer appointed by the Board of Guardians to administer relief to poor persons. He receives the application for relief, inquires into the facts of each case, the ability of each person for work, &c., and the state of their family, and visits the house where the pauper lives. He keeps a book in which is entered the name of each pauper and what is done with each case.

RELIGION, *re-lij'-un*.—A word of Latin origin, and according to Cicero, derived from *relegere*, to reconsider; but according to Servius and most modern grammarians, from *religare*, to bind fast, to restrain. It is based upon a belief in the existence of a Supreme Being, and is the feeling and knowledge of our relation to him. It is usually divided into natural and revealed. By natural religion is meant that knowledge, veneration, and love of God which are discoverable by the right exercise of our rational faculties, from considering the nature and perfections of God and our relation to Him. By revealed religion is understood that discovery which He has made to us of His mind and will in the Holy Scriptures. The varieties of religions in the world are almost innumerable; but they may be classified as follows: Buddhists, 500,000,000; Christians, 300,000,000 (including Roman Catholics, Protestants, and adherents of the Greek Church); Mohammedans, 130,000,000; Hindoos, 150,000,000; Jews, 7,000,000; Parsees and Sikhs, 2,000,000; while of Pagans or other religions there are 100,000,000.

Religion, Offences against.—Certain of these offences, such as blasphemy, profanity, public scoffing at religion, disturbance of public worship, &c., are punishable by law, but most of them are now obsolete. Blasphemy was more severely punished by the old Scottish statutes than by those of England, but the 6 Geo. IV. c. 47 enacted that the punishment should be the same.

Profanity, including profane swearing, is punishable by a fine, as is also the public mocking of religion and disturbance of public worship. (See **BLASPHEMY**, **BRAWLING**.)

REMAINDER, *re-main'-der* (Lat., *re-manere*, to be left behind).—In Law, an estate in remainder is defined to be "an estate limited to take effect and be enjoyed after another estate is determined." Thus, if a man seised in fee-simple grants lands to A for twenty years, and after the determination of the said term, then to B and his heirs for ever, here A is tenant for years, and the remainder falls to B. A remainder differs from a reversion, in that the former is created by the act of parties, the latter by act of law. The estate which precedes the estate in remainder is called the particular estate, as being a *particula* or portion; the two being equal only to one estate in fee. There must first necessarily be some particular estate precedent to the estate in remainder, in order, as is said, to support it. The remainder must also commence or pass out of the grantor at the time of the creation of the particular estate, and must be limited to take effect in possession immediately upon the determination of the particular estate, and neither sooner nor later. Remainders are of two kinds—vested or executed, and contingent or executory. Vested remainders are where the estate is invariably fixed to remain to a determinate person after the particular estate is spent; contingent remainders, on the other hand, are limited either to an uncertain person or upon an uncertain event—i.e., to a person not *in esse* or not ascertained, or upon an event which may not happen at all, or not happen until after the particular estate is determined.

REMISSIO INJURIÆ, *re-mis'-si-o-in-ju'-ri-æ*.—A term in Scotch Law, answering to the term "condonation" in English Law, and meaning the forgiveness of an injury—i.e., implying that the person injured knew of the injury, but acted as if it had not happened. By Scotch Law, a private person may recover damages although remission extinguishes the crime by pardon or by act of parliament.

REMONSTRANTS, *re-mon'-strants*.—A name sometimes given to the followers of Arminius (see **ARMINIANS**), because in 1610 they drew up a Remonstrance against extreme Calvinistic doctrines, and presented it to a conference at the Hague. In reply to this, the Calvinists drew up a counter-Remonstrance, hence they were called counter-Remonstrants.

REMOVAL OF GOODS, *rem-oo'-val*.—If the tenant of a house removes his goods to prevent the landlord seizing them for rent—i.e., if the rent be overdue and not merely current rent—then the landlord may, within thirty days thereafter, seize those goods wherever he may find them and sell them for payment of his rent, and whoever assists the tenant to remove his goods fraudulently, forfeits double the value of the goods removed to the landlord; but if the tenant remove the goods the day before the rent is due, the landlord cannot so pursue them.

REMOVAL OF PAUPERS.—A term in the English Law meaning the compulsory removal of paupers from the parish where they have become destitute, to the parish in which they were born—i.e., if they have not acquired a settlement (see **SETTLEMENT**) in the parish where

he has become destitute, or, by the act of 1865, if he has not lived one year in this parish.

REMOVING OF TENANTS.—The yielding up of possession by a tenant at the completion of his lease. In England, if the lease was for a definite term, no notice to quit is necessary on either side, but if it was indefinite, then it is to be treated as a lease from year to year, and the landlord must give half-a-year's notice to quit. An action of ejectment is necessary in most cases if a tenant wrongfully refuse to quit. In Scotland, before a tenant can be compelled to move, a notice to quit must be given, and this notice is forty days before the 15th of May. If there is a stipulation to remove, then the sheriff-officer, with written authority from the landlord, can remove the tenant by force, if he persist in staying. If there is no stipulation in the lease to remain at the expiry of the term, then the landlord must give notice to quit by summons of removing in the Sheriff Court, and if the tenant do not then remove, the landlord may obtain a decree of removal.

RENEWAL OF A BILL OF EXCHANGE, *re-nou'-al*.—When from any causes a person liable to pay a bill of exchange cannot do so, or wishes a new one in its place, this may be done by arrangement between the parties, and a new bill may be granted with the result that the former bill is suspended till the new one is mature; but if the new one be not paid, the old one revives, and even if the new one be paid, the action may be taken on the old one to recover interest due upon it. The old one therefore is not extinguished when a new one is granted.

RENT, *rent'*.—In Law, is something of value, real or nominal, rendered (hence the name) or paid by the tenant of a house or lands to the owner thereof. (See RENT in subsequent article.) Rent does not always or necessarily consist of money, but may be corn, or even in cases where lands are held rent-free, a flower or a pepper-corn, it being usual for a landlord to reserve some nominal rent as an acknowledgment of tenancy. If rent, which usually now consists of a fixed sum of money to be paid annually or in quarterly instalments, be not duly paid, the landlord can seize the tenant's goods, and, indeed, any person's goods found on the premises, and sell them without any judicial authority, in order to pay himself the rent.

Rent-Charge.—A certain rent out of lands, &c., given by the owner to a third person by way of security; the person having this rent-charge having the power also to seize goods for rent though he has no other right to the lands.

RENT (Fr., *Rente*, from *Rendre*, to render or give back).—In Political Economy, a term signifying the profits arising from cultivation of the soil, from houses, or from any property that is immovable. In popular language, it means the money or value paid by a tenant for the hire of any ground, house, &c. (see RENT in LAW), but political economists speak of that part of the product of the soil which it yields over and above the cost of cultivation as Rent. Or, in other words, if a soil is capable of yielding more than is sufficient for the support of the labour expended on it, that portion is Rent. Various political economists have different theories about rent, and it is far beyond the scope of this work to discuss them here. Suffice it to give a comprehensive definition, and to add some of the most commonly accepted

doctrines—viz., that the real position of a landlord is that of a party to a contract, and not of a patron. He is a capitalist, and to hire a field from him is precisely the same in principle as to hire a ship. Profits accrue from land because of its productiveness (usually after labour has been expended upon it), and as the productiveness is usually, in some form or other, for food for the people, there is consequently a great demand. To meet this demand, and make the land produce more, both capital and industry must be expended on the land which should yield a return to pay for the capital and industry and also for rent. As some portions of land are richer than others and produce more, they will always be worth more; therefore, it is said rent can never be got rid of, because he who holds richer land always holds rent.

RENUNCIATION, *re-nun-si-ny'-shun*.—The renouncing of a right. In English Law, the term is used to denote the refusal of a person to accept the office of executor, although he has been nominated in the will. The renunciation is usually made in a letter to the Court of Probate. But in Scotland the term is also used in the same legal sense as the word "surrender" in English Law; thus the renunciation of a lease is the same as the surrender of a lease, and is applied to an heir who is entitled to succeed to property, but renounces his claim because of the encumbrances on the property.

REPAIRS, *re-pairs'*.—The popular, and also the legal term for the repairing done to a house, &c., during a lease. According to English common law, the burden of ordinary repairs is thrown on the tenant, unless the lease specify that the landlord is to do them. It is usually the case, however, to state distinctly in the lease who is to do the repairs. In the case of farms, however, the tenant is only bound to keep the house and the fences in repair—not the outbuildings. But if the landlord is to do the repairs, and fails, the tenant is not entitled to quit the premises, but he may sue the landlord for damages caused by the want of such repairs.

Repairs in Scotch Law.—At the commencement of a lease, the landlord is bound by the common law of Scotland to put premises into tenantable repair, and the tenant is then bound to keep them in ordinary repair; but where an exceptional or extraordinary cause, such as a hurricane, has done damage, the tenant is not bound to repair.

REPETITION, *rep-it-ish'-un*.—A term in Scotch Law meaning the repayment of money that has been paid away by mistake. The principle is that if money has been paid under a mistake as to a matter of fact, it can be recovered; but if it has been paid under a mistake as to law, it cannot be recovered. In England the action to recover is called an action for money had and received. In the old Roman law, this action was called *condictio indebiti*, and the Scotch law uses the same expression.

REPLEADER, *re-pleed'-er*.—In English Law, a right to plead again, because the issue which had been joined does not fully meet the real point in dispute. This right has been greatly curtailed or abridged because much latitude in amending the record is now allowed.

REPLEVIN, *re-plev'-in* (Fr., *re*, and *plevin*, to give a pledge).—Denotes the re-delivery of the pledge or thing taken, and is a remedy granted on a distress, by which the first possessor has his

goods restored to him again, on his giving security to the sheriff that he will try the right of the distress, and restore it if the right be adjudged against him. In a replevin, the person distrained becomes the plaintiff, and the person distraining the defendant or avowant, and his justification an avowry.

REPLICATION, *rep-li-ka'-shun*.—A term in English common law meaning the answer of the plaintiff to the defendant's plea. (See RE-JOINDER.)

REPRESENTATION, *rep-re-sen-tay'-shun*.—In Politics, the principle of sending delegates or *representatives* to a public, and especially to a legislative assembly, thus in the House of Commons is obtained a representation of the people, a certain number of citizens, or those dwelling in a particular place, choosing one or more gentlemen to *represent* them in Parliament. It may be said that representation is, to a large extent, based on the theory, or idea, that every citizen should have a direct voice in the national council, but as this is clearly impossible (except in very small communities), it is necessary for the citizens to choose representatives to whom shall be delegated for the time being their political powers and rights. The principle of representation was but little known among the ancient nations, for although in the Roman Republic officials were elected, yet their functions were solely executive. The first instance of a system of representation is to be found in the 13th century in the parliament of the Sicilies under the Swabian dynasty; but now representation enters into the system of government of all the European countries, except Russia, and also in nearly all the British colonies and in the United States. One of the important questions that are at times eagerly discussed with regard to representation, is as to how far a representative is entitled to act on his own responsibility—i.e., is he to act as the mere mouthpiece of his constituents, and simply give effect to their opinions and wishes, &c., or is he to act as seems to him best, as various questions arise. We venture to think that the true course is as usual the *via media*, the middle path between the two extremes. It is quite clear that a man must to some extent give pledges to his constituents as to what he will do, and how he will act under certain circumstances, and if he be honest he will state distinctly what are his governing political principles, though, on the other hand, he will wish to preserve his own individuality, reserve to himself the right of acting on his own responsibility, having, however, due regard to the wishes and interests of his constituents.

Proportional Representation.—The representation of minorities as well as of majorities. It is endeavoured to obtain this in some constituencies by the practice of giving three representatives to the constituency, but only two votes to each elector, and sometimes by what is called cumulative voting—i.e., permitting voters to give all their votes to one candidate.

REPRESENTATIVES, HOUSE OF.

—In the United States, is the name given to the lower house of the supreme legislature, and consists of members chosen every two years by the electors of the various states. The number of members for each state is in proportion to the population, each state choosing at least one representative. (See REPUBLIC.)

REPRIEVE, *re-press'* (Fr., *repandre*, to

take back).—In Law, is the withdrawing of a criminal's sentence for an interval of time, by which means the execution is suspended. It may take place—(1) at the mere pleasure of the crown; (2) at the pleasure of the judge, for every court which has power to award execution has also power, either before or after judgment, to grant a reprieve; (3) of legal necessity (*ex necessitate legis*), as where a woman is capitally convicted, and pleads her pregnancy; (4) if the criminal become *non compos mentis*. The cases in which a judge usually grants a reprieve are where he is not satisfied with the verdict, or the evidence is suspicious, or the indictment insufficient, or if any favourable circumstances appear in the criminal's character, in order to give time to apply to the crown for either an absolute or a conditional pardon.

REPRISAL, *re-priz'-al*, (Fr., *représaille* from Low Latin *reprisalia* things seized back).—The retaking of anything which had been captured by an enemy, or the capturing from him of something as an equivalent. Wharton says, reprisals are either *ordinary*, as arresting and taking the goods of merchant strangers within the realm, or *extraordinary*, as satisfaction out of the realm and are under the great seal.

Reprieve, re-prize.—A ship retaken from the enemy. If it is recaptured within twenty-four hours it must be returned wholly to the owners, but it becomes the lawful prize and property of those who have recaptured it, if it has been more than twenty-four hours in the hands of its first captors.

REPRISALS, LETTERS OF. (See MARQUE, LETTERS OF.)

REPROBATION *re-pro-bay'-shun*.—In Theology, the doctrine of non-election—i.e., that some persons are not elected to eternal life, and are therefore fore-ordained to "everlasting death." It is said to be included in the Calvinistic doctrine of election—viz., that as some persons are "predestinated unto everlasting life," others are predestinated, for *their sin*, to eternal punishment, in other words, that they have been set apart from eternity as reprobates. Calvinists, however, endeavour to repudiate the sense thus given to it, and say that the phrase "for their sin" clears the doctrine of reprobation from the character which its adversaries give to it. (See ELECTION.)

REPUBLIC, re-pub'-lik (Lat., *res publica*).

—A republic or commonwealth is a form of government in which the people, or at least a portion of them, are acknowledged the source of power, and have the direct appointment of the officers of the legislature and executive. When the body of the people is possessors of this supreme power, this is called a *democracy*; when the supreme power is lodged in the hands of a part of the people, this is called an *aristocracy*. The celebrated republics of antiquity are those of Athens, Sparta, Rome, and Carthage. When several sovereign and independent states unite themselves together by a perpetual confederacy, whilst each of them continues to be a perfect state, they will form together a federal republic. Of this kind were formerly the cities of Greece, and in later times, the seven United Provinces of the Netherlands. To this class might likewise be referred the federal government of the United States. On the continent of America, various republics have been founded on the wreck of the colonial institutions of Europe, the principal

being the United States of America, now nearly a century old. The form of the legislature and executive is very nearly that of England, the main difference being an elective president as chief magistrate, instead of an hereditary sovereign, and the appointment of judicial and other functionaries by the people instead of by the crown. As already stated, the country is not one, but an aggregation of republics; each state being independent of the others as regards internal management. The power of legislation for the States in their united character is vested in a House of Representatives and a Senate, jointly forming a Congress. The House of Representatives is composed of members chosen every second year by the people of the various states, in proportion to their respective populations, there being about one member for every 77,700 persons in each state. A person to be eligible as representative must have completed his twenty-fifth year, have been seven years a citizen of the United States, and, when elected, resident in the state for which he is chosen. The Senate of the United States is composed of two senators from each state, elected by the legislature thereof for six years. One third of the Senate goes out, and is replaced by a new election every two years. A senator must be thirty years of age, nine years a citizen, and resident in the state for which he is elected. The president is elected by the whole people for a term of four years, and at the close of that period he may be re-elected. A person is unable to hold this office unless he be a natural-born citizen, thirty-five years of age, and fourteen years resident within the United States. The principle of electing representatives to the state legislatures is almost that of universal suffrage; in most instances, every male citizen above twenty-one years of age, who has resided a year in the state, being an elector. According to some authorities, the only instance of a true and genuine republic, where all men were presumed equal, and where universal suffrage was reduced to actual practice by a great nation, was to be found in France in 1849; but it is admitted that the existence of that form of organization was too short to prove anything either in favour of republicanism or against it. At the present time there are but two European Republics—France and Switzerland; but in the Western Hemisphere there are no less than eighteen.

Republic of Letters.—A name sometimes given to the whole body of literary and learned men.

REPUBLICAN.—In United States politics is a name which has at different times been given to various parties in the United States. At the Convention of 1787 two parties developed themselves, one—the Federalists—favouring a powerful central government; the Anti-Federalists opposing any great centralised power and advocating the right of the individual states. In time the Federalists came to be called Republicans, although at first their opponents were known by that name; but when they were called Democrats, the Federalists adopted the title Republicans. After the civil war the Republicans advocated "reconstruction" and the complete political equality of the negroes with the whites. At present their policy may be described as civil service reform and hard money currency, and they may be said to be somewhat analogous to the Liberal party in English politics.

Red Republican.—A term meaning an extreme re-

publican. It originated in the first French revolution, when the extremists used to wear a red Phrygian cap to symbolize their freedom from aristocratic tyranny. This was done in imitation of the Romans who, when a slave was freed, put a red cap on his head.

REPUTE. *re-pewt'*.—In Scotch Law, a technical term given to anything which is held to be an established fact, for instance a habit and repute thiel is one who is notoriously a thief.

REPUTED OWNERSHIP. *re-pwed' ted.*
—A term in the English bankruptcy law, meaning that at the time of bankruptcy the bankrupt was the reputed owner of certain goods which, however, as a matter of fact, belonged to another. As a trader has frequently the goods of others in his possession, and thus obtains greater credit because he has apparently a greater stock than he really possesses, the Bankruptcy Court has power, under certain circumstances, to sell the goods of which he has the reputed ownership for the benefit of the creditors. Pictures form an exception, as they do not cause persons dealing with the bankrupt to think that they necessarily belong to him.

REQUESTS, COURT OF.—The name of an ancient English court of equity, now abolished; also the name of small tribunals instituted for the decision of questions of small amounts of debt or damage. The county courts have now superseded them all. (See COUNTY COURT.)

REQUIEM. *re'-kwe-em* (Lat., *requies*, rest).
—The name of a mass sung in the Romish Church for the repose of the dead, beginning *Requiem æternam*; and in the Roman Catholic liturgy called *Missa pro defunctis*.

REREDOS. *rer'-dos* (Fr., *arrrière*, behind, dos the back).—The screen or wall at the back of an altar, large fireplace, seat, &c.

RESCRIPTS. *res'-skriptz.*—Decisions of popes or emperors upon judicial questions; also has the meaning of an edict or decree.

RESCUE. *res'-ku* (Lat., *rescuerus*).—In Law, is a species of resistance against lawful authority, as the delivery of one arrested out of the hands of those who have the legal custody of him; or the taking away and setting of liberty against law a distress effected. When a distress is taken without cause, or contrary to law, the tenant may lawfully make rescue before it is impounded, for then it is not deemed to be in the custody of the law. A rescue of one apprehended for felony is felony, for treason is treason, and for a misdemeanour is a misdemeanour.

RESERVATION. *rez-er-vay-shun.*—In Law, a term in leases meaning that the person who grants the lease does not part with, or grant away his whole interest, but reserves something for himself; also when a landlord lets land, he reserves to himself a rent out of it.

RESERVATION, MENTAL.—A keeping back of words which would convey the full and exact meaning. It is a branch of casuistry which has been the subject of much discussion by both Protestant and Roman Catholic divines.

RESERVE. (See ARMY.)

RESIDENCE. *res'-e-dens* (from Lat., *re*, and *sedeo*, I settle).—In Ecclesiastical Law, is the continuance of a parson or vicar on his benefice. This is enjoined by the common law of

England, as well as by many statutory enactments. The Act 1 & 2 Vict. c. 106, consolidates the previous enactments relating to residence, and declares that (with certain exceptions therein specified) every spiritual person holding any benefice shall keep residence on his benefice, and in the house of residence (if any) belonging thereto; and if any such person shall without any such licence or exemption as is in this act allowed for that purpose, or unless he shall be resident at some other benefice of which he may be possessed, absent himself from such benefice for any period exceeding the space of three months together, or to be accounted at several times in any one year, he shall, when such absence does not exceed six months, forfeit one-third of the annual value of the benefice; exceeding six, and not exceeding eight months, one half; exceeding eight months, two-thirds; and extending to the whole year, three-fourths of such annual value.

RESIDUE, RESIDUARY LEGACY, AND RESIDUARY LEGATEE, *res-e-du*.—In Law, is what remains of a testator's estate after payment of the debts and legacies; and the person to whom this is bequeathed is called the residuary legatee.

RESISTING A CONSTABLE.—Is an offence at law, and is punishable by the magistrates.

RES JUDICATA, *rez*.—A term in Law, signifying that the subject-matter of an action has been already adjudicated upon—i.e., decided by a court of competent jurisdiction.

RESOLUTIVE CLAUSE.—In Scotch Law, the name of a clause in a deed of entail, which declares that if the heir does any of the things which he is prohibited by the deed from doing, his right shall cease, and the next heir shall have the estate.

RESPONDENT, *res-pond-ent*.—In Law, a person called upon to answer a petition brought against him or her by another person.

RESPONSE, *re-spons* (called, *Responsories* in the ancient service-books and modern Breviary), (Lat., *respondeo*, I answer).—In the Church service, is an answer made by the people speaking alternately with the minister. Responses are said to be of four kinds: (1) Those which consist of "Amen" after the prayers; (2) those which follow the versicles or suffrages; (3) those which are repetitions of what the minister has said, as in the Confession, some parts of the Litany, &c.; and (4) the short prayers or anthems interposed between each commandment in the Communion service.

RESTITUTION, *res-ti-tu-shun*, (Lat., *restitutio*).—In Law, in general, is the restoring anything unjustly taken from another; also the putting him in possession of lands or tenements, who had been unlawfully dispossessed of them. A writ of restitution lies where a judgment has been reversed, in order that the plaintiff may be restored to all he has lost by the judgment. By 7 & 3 Geo., IV. c. 29, it is provided that if any person guilty of a felony or misdemeanour under that act, in stealing, converting, or receiving any property, shall be indicted for such offence by the owner or his executor, and convicted, the property shall be restored to the owner, and the court before whom the person shall be convicted shall have power to award a writ of restitution

for the property, or order it to be restored in a summary manner. Provided, however, that if it shall appear that any valuable security shall have been *bond fide* paid or discharged by some person liable to pay it, or being a negotiable instrument, shall have been *bond fide* taken or received by transfer or delivery by some person for a valuable consideration, without any reasonable ground to suspect that it had been stolen, &c., then the court shall not order the restitution of such security.

RESTORATION, THE *res-to-rai'-shun* (Fr., *restauration*).—In a historical sense, this term refers to the accession of King Charles II., in 1660, after the civil wars, to the throne of England, after an interregnum of eleven years and four months, from 30th January, 1649, when Charles I. was beheaded, to 29th May, 1660. The latter day has been appointed, in the Liturgy of the Church of England, as an anniversary festival in commemoration of the restoration of the monarchical form of government in these realms.

RESTORATIONISTS, *res-tor-ay'-shun-ists*.—A sect principally now to be found in Massachusetts, which holds the doctrine that all men and even all the evil angels will be finally restored to the favour of God, and will be reunited to Him in heaven. One form of this doctrine is also held by the Universalists. The doctrine in some form or other has had advocates since the days of Origen, and was held by the Origenists (see ORIGENISTS), though mingled with certain extraordinary opinions.

RESURRECTION, *res-u-rek'-shun* (Lat., *resurrexio*, I rise again).—Denotes the rising again from the dead, and is sometimes applied specially to the resurrection of Christ, sometimes to the resurrection of mankind at the last day. The resurrection of Christ is detailed with much fullness by the Evangelists, and is frequently referred to in the other books of the New Testament. In fact, it is presented as a chief argument for the truth of Christianity; "For," says the apostle, "if Christ be not risen, then is our preaching vain, and your faith is also vain;" and, adds, "He that raised up Christ from the dead shall also quicken our mortal bodies by his spirit."

RETAINER, *re-tain'-er*.—In former times, was applied to a class of servants or dependents, who wore their master's livery, but were only employed in his service on particular occasions, being, however, retained by him, and liable to be called upon to serve him at any time. In legal phraseology, a retainer, or retaining fee, is a fee given to a counsel to secure his services in a cause, in order to prevent the opposite side from engaging him. It is special when given for the purpose of securing the counsel's services for a particular case; general, when for securing his services generally.

RETIREMENT, IN THE ARMY AND NAVY, *re-tire'-ment*.—A plan whereby at a certain age officers and men retire from active service, receiving certain rates of pay, &c. There are two kinds of retirement—voluntary and compulsory—now in operation in the British army; the latter is regulated by the Army Warrant of 1877, by which officers are to retire after attaining certain ages or serving a certain number of years, which vary with different ranks.

Officers may also voluntarily retire on half-pay after 25 years' service. In the navy there is also a scale of compulsory retirement, admirals and vice-admirals retire on attaining the age of 65 years, rear-admirals, 60, captains, 55, commanders, 50, and lieutenants, 45 years. (See PENSIONS.)

RETREAT, *re-treet'*.—In Military language, is the backward movement of an army, to avoid an encounter with the enemy in front. Great skill is required on the part of the general conducting the retreat so that it does not degenerate into a rout, and that all the baggage and artillery may be saved. There must be a powerful rear-guard, which from time to time holds the enemy in check while the main body, with the baggage, &c., are retreating in good order and in safety.

RETURN, *re-turm'*.—In Law, is commonly applied to the recital by the sheriff, or other officer to whom a writ has been directed, requiring him to do something, of the manner in which the order has been executed. This is indorsed on the writ, which is then returned to the court from which it issued on the "return day," or day when it is returnable.

REVELS, MASTER OF THE, OR THE LORD OF MISRULE.—In the olden times, was an officer charged with the management of the Christmas games and revels from All-hallow Eve to Candlemas-day. During the reign of Henry VIII., the post was made permanent at the English court, and it existed until the close of the 17th century, the official having charge of the properties, &c., used in the royal masques.

REVEILLE, *re-cui'-ye(r)* (Fr., *réveiller*, to awake).—A term applied in military language to the practice of beating the drum at daybreak to awaken the soldiers and notify to the sentries to cease challenging.

REVELATION, *re-vel'-shun* (from Lat., *revelatus*).—The act of revealing or making a thing known which was before unknown, and is usually applied in theology to the preternatural communications of his mind and will made by the Deity to man, more particularly as contained in the books of the Old and New Testaments. As, in consequence of sin, man has fallen from the upright state in which he was created, he is by nature without a sufficient guide to lead him in the right path; and hence the necessity of a revelation to supply what is wanting in his own nature. This is proved by the fact that we do not find mankind, when left solely to the light of nature, to have made any considerable progress towards a more perfect state. To deny the possibility of a revelation is to limit the providence of God. The evidences of a revelation are external and internal, the former being derived from the external circumstances which attended them, the latter from its contents as being eminently fitted for building up man and raising him to a higher and more perfect state of existence. (See BIBLE, CHRISTIANITY.)

REVELATION, BOOK OF. (See APOCALYPSE.)

REVENUE, *rev'-e-nu*, or *re-ven'-u* (Fr., *revenu*).—In Law, is the income or annual profit received from land or other funds, but is more particularly applied to the income of a state derived from the customs, excise, taxes, &c., and devoted to the payment of the national expenses.

The public revenue of England was anciently derived, mainly from the rents of the crown property; but as the national expenditure increased, recourse was had to a system of taxation, which has by degrees superseded the earlier mode. The public revenue of England at different times has been as follows:—under William I., £400,000; Henry VIII., £800,000; Charles II., £1,800,000; George I., £3,700,000; George IV., £58,000,000; William IV., £56,000,000; Victoria (1855) £63,000,000, (1862) £69,000,000, (1871) £71,284,196. The following are the details of the gross produce of the revenue of the United Kingdom for the year ending March 31st, 1883:—Customs, £19,657,000; Excise, £29,930,000; Stamps, £11,841,000; Land Tax, £1,015,000; House Duty, £1,755,000; Property and Income Tax, £11,900,000; Post Office, £7,300,000; Telegraph, £1,710,000; Crown Lands, £380,000; Interest on Advances, £1,218,815; Miscellaneous, £5,267,611; Total, £89,004,450.

REVEREND, *rev'-er-nd*, (Lat., *reveren-dus*, to be revered).—A title of respect given to the clergy. In Roman Catholic countries, the religious are styled Reverend Fathers, and the abbesses and prioresses Reverend Mothers. In England, deans are styled Very Reverend, bishops Right Reverend, and archbishops Most Reverend. In Scotland, the principals of the universities, when ecclesiastics, and the moderator of the General Assembly, are styled Very Reverend. At the time of the Reformation, and more particularly during the great rebellion, there were many of the more zealous Protestants and dissenters that objected to the title, as implying too much; but now there are few who refuse it.

REVERIE, *rev'-er-y*.—May perhaps be roughly defined as a day-dream or a dream while one is awake, but is rather profound mental abstraction from what is passing around and differing from a dream in that it is, at first at least, under the command of the will. The mind is so engrossed with the objects upon which it is engaged, that external objects produce no impression upon it. Some curious things have been done by persons who have been so lost to external objects. Thus there is an instance recorded in the life of Sir Robert Peel that on one occasion he was so lost in a profound reverie—mental abstraction—that the House of Commons had adjourned, yet he knew nothing of it until the members, having all gone, he was aroused as the lights were being extinguished by the clerk of the House. It is suggested that the trances of mysticism, second-sight, &c., are extreme reveries in which the reverist is lost to all external perceptions in the profound and extended mental contemplation of presumably self-suggested, but unreal ideas.

REVERSION, *re-ver'-shun* (Lat., *re*, and *verto*, I turn).—In its widest acceptation, is applied to a right of property, the enjoyment of which is to commence at some future time, either fixed or depending upon some contingency.

REVIEW.—In naval or military affairs, is the name given to an inspection by a distinguished person or high officer, of a body of naval or military forces, usually accompanied by various manœuvres and evolutions. In the case of military troops, there is usually a sham fight and various manœuvres, followed by a march in column past a certain post where the personage before whom the review takes place is situated.

REVISING BARRISTER, re-vi'-sing.—

A legal officer who must have been a barrister of at least seven years' standing, and who is appointed every year by judges (but as a matter of fact the same person is usually re-appointed) to revise the list of persons claiming to vote for members of Parliament, and to adjudicate upon such claims. This revision usually takes place in the autumn, from about the middle of September to the end of October, and for this purpose England is divided into districts, to each of which the necessary barrister is appointed. The number of barristers appointed is about 132, of whom 115 are allotted to England, and 17 to Wales, but additions to this number are made when found necessary. The appointments are in the hands of the senior judge attending the summer assizes. The barrister must not be a member of Parliament, nor hold any office of trust under the Crown, except that of Recorder, in which case he must not be appointed to the place of which he is Recorder. For his services he receives 200 guineas each year, out of which he pays his travelling and other expenses. In Scotland, the same duties are included in those of the sheriff-substitute. There is an appeal from the decision of the revising barrister to the Court of Common Pleas.

REVIVAL, re-vi'-vul (Lat., *re*, and *vivo*, I live).—In Religion, is applied to the spiritual awakenings that have from time to time manifested themselves in the Christian Church. In England, Ireland, Scotland, and the United States of America, various revivals have taken place. One commenced in America in 1858, immediately after the great commercial panic. Meetings for prayer were held often during business hours in churches, stores, theatres, and places of public resort, and were attended by persons in every condition of society. In the following year it extended to the north of Ireland, attended with frequent meetings for devotional exercises. In various parts of Scotland, England, and Wales, the same movement was carried on. It is a frequent characteristic of such revivals, that persons are "struck down" into convulsions or an ecstatic state. Whatever opinions may be formed of the permanent benefits that result from revivals—and this is a subject on which much difference of opinion exists—few can doubt as to the pernicious effects that result from these physical manifestations, producing permanent nervous weakness, and even in many cases insanity. John Wesley, in his "Journal," has some very pertinent remarks on this subject. On one occasion, a man came to him and fell into a fit, but instead of singing over him, he left him to recover at his leisure, which he soon did; and on another occasion a girl fell into convulsions, when he ordered her to be carried out, on which she immediately found her legs and walked off. Upon one occasion he said, "Before I began to preach, I gave public notice that whosoever cried so as to drown my voice, without any man's hurting or judging them, should be gently carried to the farthest corner of the room; but my porters had no employment the whole night." The latest revivals which may be mentioned are the visits of the American revivalists or evangelists, Messrs. Moody and Sankey, in 1874-5, and the Salvation Army, which, though it had been in operation some time before, since 1865, became more prominently public in 1885.

REVIVOR, re-vi'-vor.—In Law, is a writ

which keeps alive an action or suit in the courts when one of the contending parties dies.

REVOCATION, re-vo-kay'-shun.—A term in Law, meaning the withdrawing or annulling of a deed which but for this would be valid.

REVOLUTION, rev-o-lu'-shun (Fr., from Lat., *revolutus*).—A revolution, in politics, is a material or entire change in the constitution or government of a country, accomplished in a short time, whether by legal or illegal means. The Assyrian empire was destroyed, and that of the Medes and Persians founded, by Cyrus the Great, 550 B.C. The Macedonian empire was founded on the destruction of the Persian, on the defeat of Darius Codomanus, by Alexander the Great, 331 B.C.; and the Roman empire was established by Julius Cæsar 47 B.C. The dates of the revolutions which have occurred in more modern times are as follows:—In Portugal, 1640; in England, 1649 and 1688; in Poland, 1704, 1795, and 1830; in Russia, 1730 and 1762; in Sweden, 1772 and 1809; in North America, 1775; in France, 1789, 1830, 1848, and after the battle of Sedan, in September, 1870, and the revolt of the Commune in March, 1871; in Holland, 1795 and 1813; in Venice, 1797; in Rome, 1798; in the Netherlands, 1830; in Brazil, 1831; in Hungary, 1848; in Italy, 1859-60; in the United States, 1860-1; in Spain in 1869. The deposition of monarchy and execution of Charles I., and the establishment of a commonwealth, with Cromwell as dictator, formed the greatest revolution which has occurred in England, though it is never spoken of under that term; the change of dynasty in 1688, with the guarantee of a constitution, being referred to as *the Revolution*, and having been, no doubt, the commencement of a new system of government. The revolution of 1688 has been termed glorious, and with good reason. It terminated the struggle, which had continued from the reign of John, between the crown and people of England. The Stuarts, with inferior abilities, had striven to retain the almost despotic power acquired by the Tudors, and the result was a civil war, the shedding of royal blood on the scaffold, and a military despotism. Untaught by experience, the restored Stuarts laboured to free their authority from all constitutional check, and the result was that the nation rose and drove them from the throne. One of the most singular characteristics and merits of this revolution is that it was effected with little or no violence. It cost no blood, it violated no right, it was hardly to be traced in the course of justice; and the formal and exterior character of the monarchy remained nearly the same, whilst its spirit was completely regenerated. And yet this revolution, of all revolutions the least violent, has been of all revolutions the most beneficent, finally deciding whether the popular element, which had, ever since the age of Fitzwalter and De Montfort, been found in the English polity, should be destroyed by the monarchical element, or should be suffered to develop itself freely and to become dominant. It cut up by the roots all that theory of indefeasible right, of paramount prerogative, which had put the crown in continual opposition to the people; and from 1688, the assertion of passive obedience to the crown grew obnoxious to the crown itself. The highest eulogy which can be passed on *the Revolution* of 1688 is that it was our last revolution, and that since it the means of effecting every improvement

which the constitution requires may be found within the constitution itself.

Revolutionary Tribunal, *rev-o-lu'shun-a-ryun*.—Is a term which is sometimes specially given to that infamous tribunal instituted in France, March 1793, during the Great Revolution which began 1789. The Tribunal originated in a motion by Danton, who considered that there were dangerous conspiracies afloat against the revolutionary government, and its function was to judge all persons accused of crimes against the state. Under the Reign of Terror, it became most horribly notorious; and its dread sentences were executed with the most appalling promptitude. Similar tribunals, under the name "Revolutionary Committees," were established in the provinces.

REWARD, *re-ward'*.—In Law, a sum of money given to a witness for services in detecting crime. Under an act passed in 1827, a court of assize may order the Sheriff of the County to pay a witness a sum of money to reward him for his exertions, and to compensate for loss of time, &c., whenever he has been very active in apprehending persons found guilty of any of the graver offences, such as stabbing, cutting house-breaking, robbery, &c. And if he should be killed in performing such duty, the court may order a sum to be paid to the widow or child. But whoever shall corruptly take reward under pretence of helping any person to property illegally disposed of, shall be liable to a penalty, and whoever shall advertise, or print or publish such advertisement to the effect that a reward for the return of property stolen or lost will be given, and shall say or hint that no questions will be asked, and no inquiries made, or that money which may have been advanced by pawnbrokers shall be repaid, shall also be liable to a penalty.

Rewards for Distinguished Service.—In the army, are usually annuities of £200, given to officers for distinguished services.

RHABDOMANCY, *rah'-do-man-se* (Gr., *rhakdos*, a rod, and *mantia*, prophecy).—Is, properly, divination by a rod or wand, and is generally applied to the power supposed to be possessed by some persons, of discovering things hid in the bowels of the earth, especially metals, ores, and water, or the art of discovering these substances by means of a divining-rod. (See DIVINING-ROD.)

RHADAMANTHUS, *rad-a-man'-thus*.—A personage of the old mythology, whose special duty after death was to judge the actions of those who came from Asia to Hades.

RHODIAN LAW, *ro'-di-an*.—A system of marine law, believed to have been compiled by the Rhodians, 900 years B.C., and said to be the earliest system known to history. Among the leading features are provisions for the compensation of the heirs of mariners lost in the service of a vessel, the shares of officers and crew, and the punishments for plundering, wreckers, &c.

RIBBONISM, *ri/-bon-izm*.—A system of Secret Societies, formerly prevalent among the lower class of Irish, but to a large extent replaced by Fenianism. The objects and methods of procedure of the Ribbon Societies have given rise to much discussion and suspicion, and their origin is wrapped in much obscurity. The societies seem to have first appeared about 1805-8, and to have been called forth in opposition to the Orange Confederates, although they no doubt addressed themselves to social and agrarian grievances as well. They appear to have received their name from the badge worn by the members,

RIGHT, *rite* (Sax., *riht*; Lat., *ius*).—In its strictly legal signification denotes whatever may be maintained or enforced by law, hence it follows that every right presupposes the existence of positive law. Rights may be acquired in a variety of ways, as by contract, gift, succession, &c. Rights are also of several kinds: as personal rights, or such as regard a man's own person; rights of property, regarding his dominion over the external and sensible things by which he is surrounded; rights in private relations as a member of a family; and public rights, regarding his social condition as a member of the community. Rights necessarily imply duties; for whatever is due to one man, or set of men, is necessarily due from another. Rights are further distinguished as natural, or those which a man has a natural or just claim to, as his life, liberty, the produce of his labour, &c.; and adventitious, or those derived from human appointments, as the right of a king over his subjects, of a general over his soldiers, &c. Every one, when he becomes a member of a civil community, alienates a part of his natural rights. Right is also sometimes used in a secondary sense, to signify not legal but moral claims—i.e., such as are enforced by moral sanction, but are of no legal obligation.

RIGHT OF SEARCH. (See SEARCH, RIGHT OF.)

RIGVEDA. (See VEDA.)

RIOT, RIOT ACT, *ri'-ot* (Nor., *riotti*).—Defined to be "a tumultuous disturbance of the peace, by three persons or more assembling together, of their own authority, with an intent mutually to assist one another against any one who shall oppose them in the execution of some enterprise of a private nature, and afterwards actually executing the same in a violent and turbulent manner, to the terror of the people—whether the act intended were of itself lawful or unlawful." As offences of a similar kind, though differing from riots, are routs and unlawful assemblies. A rout is a disturbance of the peace by persons assembling together with an intention to do a thing which, if executed, would make them rioters, and actually making a motion towards the execution thereof. An unlawful assembly is any meeting of great numbers of persons, with such circumstances of terror as cannot but endanger the public peace and raise fears and jealousies among the subjects of the realm. The Riot Act (1 Geo. I. st. 2, c. 5) enacts generally, that if any twelve or more persons are unlawfully assembled to the disturbance of the peace, and any one justice of the peace, sheriff, under-sheriff, or mayor of a town, shall think proper to command them by proclamation to disperse, if they contemn his orders and continue together for one hour afterwards, such contempt shall be felony, punishable by penal servitude for life, or not less than fifteen years, or imprisonment, with or without hard labour or solitary confinement, for not more than three years; further declaring that if the reading of the proclamation be by force opposed, or the reader be in any manner wilfully hindered from the reading of it, such opposers and hinderers, and all persons to whom such proclamation ought to have been made, and knowing of such hindrance and not dispersing, are felons, and liable to the like punishment. The act also contains a clause indemnifying the officers and their assistants in case any of the mob be unfortunately killed in

the endeavour to disperse them. Where the number of rioters is under twelve, the punishment is fine and imprisonment, to which hard labour may be superadded; while fine and imprisonment is the punishment attached to the offences of routs or unlawful assemblies.

RISK.—In Law, a term used principally in reference to the sale of goods and injury to them before delivery. By English Law this question is settled by the previous question as to whether the property has passed or not by the sale. In Scotland the risk is with the purchaser, whether or not the proprietary right has passed. (See CARRIERS, LAW OF.)

RITE, rite (Lat., *ritus*).—This word may perhaps be best defined as an action, or series of actions, or external sign, designed to express, or to excite, or to be symbolical of, certain religious feelings or spiritual facts. Want of space precludes our entering into this most interesting subject, and it must be sufficient to point out that all ancient religions appear to have abounded with rites and ceremonies, the ancient Jewish religion among others. Through the excessive use of rites and ceremonies in the Gentile religions, religion itself deteriorated almost entirely into outward form, and thus, it is contended by some persons, is the inevitable tendency of all rites and ceremonies. In John iv. 23, some persons maintain that Christ condemned all outward ceremonial; others contend that its use is necessary and helpful, but that it should always be accompanied and elevated by the true and right feeling and spirit. Doubtless in some instances, there are people who are unable to distinguish between the rite itself and the feeling or spiritual fact which it excites or typifies. Sometimes the word is used collectively to express all the actions connected with a service, as the "rite of baptism," and still wider, it means the whole services of a church or body of Christians, as the Roman rite, the Greek rite.

RITUAL, rit'-u-al (Lat., *ritus*, a rite).—In ecclesiastical matters, is a book or manual, in which are given the order and forms to be observed in the celebration of divine service, the administration of the sacraments, &c., in any particular church.

ROAD.—In Scotch Law, is used in the same sense as highway in England. (See HIGHWAY.)

ROBBERY, rob'-be-ry.—In Law, is the unlawful taking away of money or goods of any value from the person of another, or in his presence, either by violence or by putting him in fear. Hence in order to constitute robbery there must be (1) an unlawful taking; (2) the thing must be of some value, but it is immaterial, as constituting the offence, whether it be a penny or a pound; and (3) the taking must be by force or a previous putting in fear. It is this last which distinguishes robbery from other larcenies, and makes the violation of the person more atrocious than private stealing. The taking must also be either directly from the person, or in his presence, or it is not robbery. The thing taken must have been in the possession of the thief; and if he once has it in his possession, even though he immediately restore it, he is still guilty of robbery. Formerly robbery was a capital offence, but by 7 Wm. IV. c. 1 Vict. c. 37. it is made punishable by transportation (now penal servitude) for life, or for any term of not

less than seven years, or by imprisonment for any term not exceeding three years. Assaulting, with intent to rob, or demanding any property of a person by menaces or force, is made punishable by imprisonment for any term not exceeding three years; and upon an indictment for robbery, or any other offence which includes assault, the jury may acquit of the felony and find guilty of assault, for which the party indicted may be sentenced to imprisonment for any term not exceeding three years. Where the crime of robbery is attended with, or immediately followed by stabbing, cutting, or wounding, it is still a capital offence.

ROBES, MISTRESS OF THE, robz.—The office of mistress of the robes is ancient, and is of high dignity, since the holder of it not only presides over the ladies of the household of the queen, but has the superintendence of various important duties belonging to the bedchamber. She regulates the rotation and times of attendance of the ladies; she has the custody of the robes; on state occasions sees that the ceremony of robing the queen is properly performed; and on such occasions rides in the same carriage with her. Her salary is £500 per annum.

ROBIN GOODFELLOW.—A domestic spirit or fairy of which sportive roguery seems to have been the characteristic. Shakespeare is said to have derived his "Puck" from the popular belief in Robin Goodfellow which prevailed in his time.

ROCHET, ro'-chet.—The name of part of the church costume of certain clerical dignitaries. In the first prayer book of Edward VI. it is ordered to be worn by bishops in the Communion Service. Its use is very ancient in the Latin Church. Usually it is made of fine lawn or lace in the form of a surplice, but with close-fitting sleeves.

ROGATION DAYS, ro-gas'-shun (Lat., *rogo*, I ask).—In the Church, are three days immediately before the festival of the Ascension. In former times, it was a general custom for the people to accompany the bishop, or some of the clergy, into the fields on one of the three days preceding Holy Thursday, to implore the mercy of God, that he would avert the evils of plague and pestilence, that he would send good and seasonable weather, and give in due season the fruits of the earth. In the injunctions issued in the reign of Queen Elizabeth, the curate and people are ordered to walk about the parish with willow wands, the former, at certain and convenient places, admonishing the people to give thanks to God for his benefits. In the Church, these days are continued as private fasts for "abstinence" and "extraordinary acts and exercises of devotion."

ROGUE MONEY, rowg.—An ancient assessment in Scotland annually directed to be made for the expenses of apprehending offenders, prosecuting them, and providing for them in jail.

ROLLS, MASTER OF THE (See MASTER.)

ROLLS OF COURT.—A term in Scotch law, meaning the list of causes pending in the Court of Session.

ROMAN CATHOLICISM.—Is the name given by Protestants to that system of Christianity which regards the bishop or pope at Rome as its infallible spiritual head, and which assumes

to itself the title of Catholic or Universal. It professes to have been founded by St. Peter, and maintains that the popes are his lawful successors. Its history, therefore, dates back to the earliest period of Christianity. Little is known of the history of the Church for some centuries after the time of the apostles. The earliest Christians were subjected to great persecutions, and obliged to carry on their services with great secrecy. With the conversion of Constantine the Great, in the early part of the 4th century, an entirely new state of things was ushered in. Churches were now built and liberally endowed, and riches and honours largely conferred on the clergy. The government of the Church was arranged so as to correspond as nearly as possible with that of the State. Bishops were made to correspond with the chief magistrates of cities, metropolitans with the pro-consuls of presidents of provinces, primates to the emperor's vicars, each of whom governed an imperial province, while the emperor himself claimed the power of regulating its external affairs. The bishop of Rome had come to acquire a pre-eminence over the other prelates, but at first this pre-eminence was one of order, not of power or authority; hence, when pretensions to supremacy were put forth by the Roman bishops, they were firmly resisted by all the Eastern churches. On the death of Liberius, bishop of Rome, in 366, a violent contest arose between Damasus and Ursicinus regarding the see, and was the occasion of much bloodshed and cruelty, terminating in the success of Damasus. A variety of circumstances after this time concurred to augment the power and authority of the Roman pontiff, though he had not yet assumed the dignity of supreme lawgiver and judge of the whole Christian Church. Leo the Great advanced the pretensions of the Roman see with greater vigour and success than any of his predecessors; but even during his pontificate, the council of Chalcedon, in 451, declared the see of Constantinople to be equal to that of Rome in all respects except precedence. His successor, Hilary, styled himself vicar of St. Peter, and claimed the keys of the kingdom. Pope Gelasius pushed his demands still further, and about 496 began to claim the right to govern kings. "There are two authorities," he says, in a letter to the emperor, "by which the world is governed—the pontifical and the royal. The first is the greater, having the charge of the sacraments of life." In fact, he advanced on behalf of the papacy all those claims which have since been admitted. He asserted the supremacy of the Roman see, as delegated to it by Christ himself; affirmed the infallibility of the Church of Rome; drew up a list of the canonical books, which included several of the apocryphal; and issued a rescript condemning heretical writers and their books, including in the list some of the works of Tertullian and Lactantius. The claims of the Roman bishops were formally confirmed by the Emperor Justinian in his judicial code, and in a decretal epistle to the pope in 533. The Emperor Phocas, in 606, issued a decree confirming that of Justinian, and placing the bishop of Rome above the patriarch of Constantinople and all other prelates and churches. The accession of Gregory the Great to the papal chair in 590 is the commencement of one of the most important eras in the history of the Roman Church. The ancient Roman empire had finally disappeared, and new-born nations were struggling into life, and waiting for new institutions.

Gregory saw the opportunity and embraced it, and the religion of Rome became in consequence the religion of the whole of western Europe. The supremacy of the pope was acknowledged by all the sovereigns of the western nations. A system of ecclesiastical rule, complete and perfect in all its parts, was devised. The clergy were subjected to the bishop, the bishop to the metropolitan, the metropolitan to the papal vicar or legate, and lie to the pope. The claims advanced by the papal see led to frequent contests with the secular powers; but the result invariably was the triumph of the Church and the depression of the secular power. To Gregory, the Church of Rome is indebted for the completion of the monastic system. He also sanctioned the doctrines of purgatory, image-worship, pilgrimages, and the veneration of pious relics. New rites and methods of devotion hitherto unpractised were introduced. Litanies were addressed to the saints and martyrs; churches were built innumerable, and became asylums for the criminal from the arm of the law, and a safe resting-place for the bodies of the departed, where no evil spirit could intrude. These dogmas were much more implicitly received by the northern and Gothic nations than by the more cultivated people of the South. As pagans, they had been accustomed to pay to their priests and Druids an implicit obedience, and they now transferred their submissiveness to the ministers of the new religion. In the 7th century, the sovereigns of western Europe submitted implicitly to the Roman see; in the 8th century, the war of the Iconoclasts broke out, which eventually led to the separation of the Eastern and Western churches. The patriarch of Constantinople had caused images to be removed from the churches, and an imperial edict was issued forbidding their worship, the consequence being that the people, led on by the monks, broke out into insurrection over the whole empire. Lombardy was still subject to the Greek empire, and its king, taking part with the emperor, forbade the use of images in the churches. Pepin, of France, marched with a numerous army across the Alps to the assistance of his spiritual sire, defeated the king of the Lombards, and compelled him to deliver up a part of his territories to the Roman pontiff. Thus was laid, in 755, the foundation of the temporal sovereignty of the pope. The Lombards becoming troublesome to the Roman pontiff, he again supplicated the aid of France, and Charlemagne entered Italy in 774 at the head of an army, reduced them to subjection, visited the pope at Rome, and ratified and confirmed the donations of his father Pepin. A second time he had to march to save the papacy from apparent destruction, and he conferred on the Roman see the territories which he subdued, including Corsica, Sardinia, Sicily, &c. In a council held at Rome, Adrian I. conferred upon Charlemagne and his successors the right of electing the popes, but this power was exercised with great forbearance; and in 800, Leo III. proclaimed Charlemagne emperor of the West, and placed the crown upon his head. Even at this time, however, the authority of the pope was not supreme, for upon all religious questions of dispute, he was obliged to convene a council, whose decisions were held to be final upon the points at issue. Provincial synods also met by their own authority, and discussed the questions before them with the utmost freedom, often voting in direct opposition to the Roman

see. Further, the power of convening councils, and the right of presiding in them, were the prerogatives of the sovereign in whose dominions they were held, and their decrees required to be confirmed by the civil power before they obtained the force of laws. The pope, however, was now too powerful to submit patiently to such controls, and struggled incessantly, and at length with success, to throw them off. The 9th and 10th centuries were the midnight of the Dark Ages, when ignorance and superstition held their undisputed sway. Every kind of virtue seemed banished from the earth, and wickedness supplied its place. The popes were in general men of infamous lives, so that the best Roman Catholic writers themselves speak of their conduct with abhorrence and disgust. From the time of Eugenius III. (884), the election of the pope was conducted for a century with little regard to law or decency, and often with tumult and bloodshed. The violence and intrigues which now prevailed may be gathered from the fact that from the death of Benedict IV. (903) to the elevation of John XII. (956), an interval of fifty-three years, thirteen popes in succession held the pontificate. The poisoned cup and the assassin's knife opened a ready path to St. Peter's chair. Even the forms of religion were scorned, and Rome was again familiar with all the crimes which it had known in pagan times under the worst of the Cæsars. The ascent of Gregory VII. to the papal chair in 1073 inaugurated a new era in church history. The grand object of his life was to reduce the whole territory of Christendom to a feudal subjection to the holy see, coupled with a desire to effect a total reform of the Church, which was now sunk in the lowest state of degradation. No sooner was he seated upon the papal throne, than he began to carry out his intentions. Simony and the concubinage of the clergy were the two evils to which he directed his attention. Having demanded of the emperor Henry IV. of Germany to abandon the right of disposing the sees within his dominion, and the emperor having refused, he called together a council and excommunicated him, declaring the thrones of Germany and Italy vacant. From every sovereign of Europe he endeavoured to exact some new concessions, and wrote circular letters commanding them to make a grant of their kingdoms to St. Peter, in order to receive them back as gifts from the papal see. The audacity of his conduct struck terror into the hearts of all, and the proud emperor of Germany, deserted by his subjects, was obliged to make his way over the Alps in the middle of winter, and submissively ask pardon of the pope. The arrogance of Gregory produced a natural recoil. Henry's subjects rallied round him, and he led an army into Italy, and fought several battles with various success. The war continued for several years. The pope declared Rodolph emperor of Germany, and Henry nominated Guibert, archbishop of Ravenna, to the papal chair. Rome was besieged and taken, and Gregory retired to Salerno, where he died 1085. Guibert was nominated his successor, under the name of Clement III.; but his opponents nominated another pope, under the name of Victor III. The latter soon abdicated in favour of Urban II.; but both popes died in 1099, and Pascal II. became sole possessor of the papal chair. The war of the "investitures," thus commenced, continued to distract Europe for many years. Gregory protested against the clergy receiving

investiture from the sovereign; while his successor, Urban II., not only forbade the clergy from receiving the investiture, but even from swearing allegiance to the sovereign; thus rendering them accountable only to the Roman see. The war of the investitures closed in 1122, with a compromise between the emperor and Calixtus II., by which the election of the bishops was to be free, and their investiture was conceded to the Church. The secular power henceforth inducted them into their temporalities only; and the changes thus introduced tended still further to enlarge the power of the Roman pontiff. Both swords, the spiritual and the temporal, were now in the hands of the Church; the one wielded for the benefit of the Church, the other by the Church itself. The crusades of the 12th and 13th centuries show the power and influence which the papacy had then attained, and no doubt tended greatly to enhance them. In the person of their legates, the popes commanded the armies, and the Church came into possession of vast estates, the owners of which had perished in the enterprise. The kingdoms of northern Europe were, however, now gradually emerging from barbarism, and the Church was beginning to lose its hold. The crusades were scarcely at an end, when the Paulicians and the Waldenses appeared. Innocent III., who bowed the craven spirit of King John, was inferior only to Gregory VII. in courage and ambition. He asserted new dogmas, as transubstantiation and auricular confession, and introduced a multitude of new ceremonies into the Church. He introduced various measures of reform among the clergy, more particularly the monks, and founded the mendicants, or begging friars, who then began to be numerous, into a regular body, and bestowed on them many marks of his favour; so that Europe in a short time was overtaken with them. They were looked upon by the people with the deepest reverence, and restored the papacy from that state of decrepitude into which it had fallen. The most powerful of these orders were the Dominicans and Franciscans; and for three centuries these governed, with almost absolute and universal sway, the states of western Europe, and even the Vatican itself. They were employed as ministers of state, undertook negotiations, formed alliances for sovereigns, declared war, concluded peace. Innocent III. also enacted new laws against heresy, and established the court of the Inquisition. The wars against the Albigenses raged for a time with great fury, and closed only with their destruction. The revival of letters in the beginning of the 14th century seemed to promise the prevalence of milder and more liberal measures. Colleges were built, academies formed, and libraries collected; but it was long before their influence was felt in the Church. During this century the Spanish Inquisition manifested great activity, and grew to an enormous height of power. In the beginning of this century, Clement V. removed the seat of the Roman see to Avignon, to oblige the French king, Philip le Bel, a proceeding which tended to impair the authority of the see. Factions appeared, and insurrections broke out in Rome and other parts of Italy, and led at length to the great schism which broke out on the death of Gregory XI. in 1378. The Romans elected Urban VI., a Neapolitan; the French, Clement; the one residing at Rome, the other at Avignon. The one sought the protection of France, the other of the king of Naples. The council of

Pisa interdicted both pontiffs, and elected in their room Alexander V. Thus there were three popes at one time, anathematizing each other and demanding the allegiance of the Church. The civil power was at length compelled to interfere. The council of Constance was summoned (1414); Pope John was deposed; Gregory sent in his voluntary resignation, and subsequently Benedict himself was also deposed, and Martin V. elected sole pope. During the whole of the 15th century, the one great subject which absorbed the attention of the Church of Rome was the progress of heresy and the means of its suppression. In the Church itself, there was a large party who were conscious of its faults, and longed for reformation. The acts of several councils show how strong and general this feeling for reform was; but the pope and cardinals determined that severity was the method by which the peace and unity of the Church were to be preserved. The opinions, more particularly, of Wycliffe and Huss spread wide, and exerted their influence in the Church. With the dawn of the 16th century, everything seemed peaceful and serene, and the Church was indulging in pleasing visions of a long repose. The complaints against the papal see, we are told, seemed absolutely to be appeased, and all the kingdoms of western Europe were not only in communion with Rome, but in strict subjection to her. "A few Waldenses lingered on the sides of the Alps and Pyrenees—impious and obscure men, from whom nothing was to be feared." The Picards and Hussites of Bohemia are spoken of with similar contempt, while the Lollards of England seemed to be too insignificant for notice. But underneath this smooth surface fearful elements of opposition were concealed, which only required a spark to set them blazing throughout the Church. In a short time, the dawn of the Reformation was ushered in, and shook to its foundations the power of the Church. (See REFORMATION.) The celebrated council of Trent met in 1545, and the same year saw the massacre of 4,000 unworshipping Waldenses at Cabriers and Merindolo. The council sat, with intervals, for 18 years, and drew up what are regarded as the statutes of the Roman Catholic Church. Having attempted, as far as our limits will permit, to sketch the growth and development of the Roman Church, we must here leave it. Its subsequent history presents little of general interest beyond what will be found in the numerous articles bearing upon the subject, throughout this work; as JESUITS, MONACHISM, JANSENISTS, GALICAN CHURCH, &c. For several centuries after the Reformation, the Roman Catholics in England were subjected to much persecution and hardship. The Act of Toleration (1688), which relieved Protestant dissenters from many disabilities, brought no relief to the Roman Catholics. As the spirit of the times grew milder, however, many of the penal laws ceased to be enforced. In 1778, the first remedial act was passed, enabling Catholics to take lands by descent. In 1791, Mr. Pitt (having obtained an unanimous opinion from the chief continental universities that the pope cannot absolve subjects from their allegiance to a sovereign, and that the principles of the Roman Catholic faith do not excuse or justify a breach of faith with heretics), procured the passing of a bill, by which, upon taking a form of oath prescribed, Catholics were secured against most of the penalties pronounced by former acts. In 1828, the Test and Corpora-

tion Acts were abrogated, and the following year the Catholic Emancipation Act bestowed on Roman Catholics substantially the same amount of toleration which was enjoyed by Dissenters. According to Roman Catholics, the pope is the successor of St. Peter, and vicar of Christ upon earth. He is the supreme ruler over the entire Church, and from him the various bishops of the Church receive their authority. He is elected by the College of Cardinals in conclave (see CONCLAVE); and they, in their turn, are appointed by the pope, and form the executive council of the Church. (See CARDINAL.) They are divided into boards or congregations for the transaction of business; but their decisions are subject to the approval of the pope, without which they are of no value. On occasions of high importance, as the election of bishops, &c., they are all summoned together by the pope, and then form a consistory. The manner of appointing bishops varies considerably in different countries. Most frequently it is regulated by concordat, or special agreement between the pope and the civil government, the presentation being usually in the crown, and the appointment emanating from the pope. Where this is not the case, the clergy of the diocese meet in chapter and select three names, which are forwarded to the pope, who then appoints one of them to the charge. The power of the bishops are regulated by the canon law, and in most Catholic countries they are possessed of some degree of civil jurisdiction. In some parts, vicars-apostolic take the place of bishops, generally with more extensive powers than those of ordinary bishops, from being usually in non-Catholic countries, where the ordinary laws of the Church cannot be fully observed, or at a great distance from the papal see. The bishop usually has the appointment of the parochial clergy within his diocese. Besides the parochial clergy, or those who supply their place, there is a large body of the secular clergy engaged in education, attending charitable institutions, instructing the poor, &c. Besides these, there are the regular clergy or monastic orders, a very numerous class. The clergy are under a vow of celibacy, not formally made, but implied in their ordination as sub-deacons. The clerical orders are of two classes—the sacred and minor; the former consisting of sub-deacons, deacons, and priests; the latter of doorkeepers, exorcists, readers, and acolytes. The principal courts of the Church are diocesan synods, composed of the parochial and other clergy of a diocese under a bishop; the provincial synods, consisting of the bishops of a province under the metropolitan; and a general council, composed of all the bishops of the Church, who may attend either in person or by deputy, under the presidency of the pope or his legates. One of the principal doctrines of the Roman Catholic Church is its own infallibility; hence the obligation of receiving implicitly its doctrines independently of one's own private judgment; and hence, too, the authority of tradition, having, as they say, been handed down uncorrupted from the time of the apostles. The Catholics thus receive the Holy Scriptures as explained and interpreted by the Church in her traditions, acts of council, decretals, &c. They believe in seven sacraments instituted by Christ, and necessary for salvation, though not every one for each—namely, baptism, confirmation, the eucharist, penance (including contrition, confession, and satisfaction), extreme unction, holy orders, and matrimony. They

believe that in the eucharist, the bread and wine are really, truly, and substantially changed into the body and blood of our Lord, which change is called "transubstantiation." They regard the mass as a true, proper, and propitiatory sacrifice to God for the living and the dead. They believe in purgatory, and that the souls therein are benefited by the prayers of the faithful; that the saints with Christ are to be honoured and invoked, and that they offer up prayers to God for us; that images of Christ, the Virgin, and other saints, are to be had in the churches, and due honour and veneration given to them, and that the relics of saints are to be held in veneration; that the power of indulgences was left by Christ in his Church, and that the use of them is very salutary to Christian people. The holy Catholic and Apostolic Church of Rome they acknowledge to be the mother and mistress of all churches, and that out of her no one can be saved. Roman Catholicism has still a vast number of adherents in all parts of the world, estimated to amount to about 165,000,000. Europe, Italy, Spain, Portugal, France, Belgium, Austria, Poland, Hungary, Bavaria, and the Rhenish provinces of Prussia, are Roman Catholic. In America, all the countries which once formed part of the Spanish dominions; the empire of Brazil; the West India islands belonging to Spain or France; Lower Canada; many tribes of Indians in North and South America, are, for the most part, Roman Catholic; many of whom are also to be found in the United States. In Asia, there is hardly any nation professing Christianity which does not contain large communities of Catholics. In Africa, the islands of Mauritius and Bourbon are Catholic, as are the Portuguese settlements on the coasts, the Azores, Madeira, the Cape Verde and Canary Islands. It may perhaps be correct to say that the numerical power of the Roman Church is at present as great as ever it was before the Reformation; but never since that period has it possessed the same influence over the minds of men, or over the rulers of nations that it had before—the spell was then broken.

ROMAN CATHOLIC EMANCIPATION ACT.—A famous measure passed on the 13th of April, 1829, by which all the laws against Roman Catholics in this realm were repealed. Up to that period the laws affecting Roman Catholics were very severe, and rose quite as much from political tyranny as from religious rancour and fanaticism. The Emancipation Act itself was also effected by a change in the political rather than in the religious views of the ruling party. Penal laws existed by which a Roman Catholic priest could be transported if he celebrated matrimony between two persons, knowing that both or either was of the Protestant religion. No Catholic could sit in the House of Peers or in the House of Commons. No Catholic could vote for a member of Parliament. No Catholic could hold a corporate office. In James I.'s reign, Catholics were prohibited from practising physic, or of exercising the trade of apothecary. In William III.'s reign, they were prohibited from keeping any horse of a value exceeding £5. Under George I., they were prohibited from keeping schools, or procuring the education of children at home. Perhaps, however, the most demoralizing enactment of all was that which justified a son, conforming to the established religion, to force his parent to surrender his

estate under an allowance. The subject of Catholic Emancipation began to be taken up warmly by the press about 1824; and a Catholic association was formed to prepare petitions to Parliament. Daniel O'Connell rapidly became a leading power; and the subject was felt to be of so much importance, that Sir Francis Burdett introduced a relief bill as early as 1825. It passed through the Commons with a majority of 27 in a House of 509. The bill was, however, rejected by the Lords. O'Connell's return for Clare, notwithstanding the oaths which precluded him from taking his seat in the House, was followed by other events in rapid succession till the 5th of March, 1829, when Mr. Robert Peel brought forward the Catholic Emancipation Bill. This time it passed through the Lords with a majority of 106.

ROMAN RELIGION, ANCIENT.—

According to tradition, the ancient Roman religion was to a large extent founded, or perhaps it is more correct to say, shaped and adapted, by Numa Pompilius, the legendary king who succeeded Romulus as king of Rome. It was probably during his reign that the religion of the Sabines became mingled with that of the early Roman settlers. The religions of the Etruscans and of the Latins also gave several deities, and from these and other obscure elements the religion of the Romans grew with the growth of the Roman state. The principal gods of the Latins were Tellus (the earth), Saturn (god of seeds), Jupiter and Juno (givers of light), Janus (a two-faced god to represent prudence, because he looked before and behind), and Diana. Added to these were various agrarian deities. The Sabines worshipped Sol (the sun), Luna (the moon), two war-gods, Mars and Quirinus (see various headings), and several others, of which we have no space to speak in this short article. In fact, the Romans filled the whole visible and invisible world with deities, each one being as it were an authority over a special department. Perhaps the three greatest deities were Jupiter, Juno, and Minerva. The mode of worship was somewhat like that of the Greeks. Votive offerings were given and sacrifices made; there were libations, banquets, feasts, and games—thus the festival of the Lupercalia was held in honour of the god Lupercus (see LUPERCALIA), and there were also prayers, vows, songs, and dances. The idea of the Romans concerning their deities almost seems to be that they were severe and powerful creditors, to whom they had to pay adoration, gifts, offerings, &c., rather than deities. Their gods were really abstractions (whereas the Greeks worshipped allegories, and their gods were corporeal and concrete), but none the less powerful. There were some five or six orders of religious persons in the old Roman religion, thus: there were the Augurs, who pretended to foretell events (see AUGURES and AUGURS); the Vestals, priestesses whose duty was to tend a sacred fire, which was always kept burning in the temple of Vesta; the Salii, twelve priests whose duty it was to take care of the sacred shields (see ANCILE); the Pontifices, whose duties were to maintain superintendence over the inferior priests (see PONTIFEX); and the Flamens, priests in the service of special deities (see FLAMENS). In process of time, faith in the old religion waned, and though the pomp and splendour of outward worship increased, yet a strange conglomeration of Oriental creeds crept in, profligacy and my-

sticism became more and more rampant, and at last Constantine the Great abolished the last traces of the pagan worship, and proclaimed Christianity as the state religion.

ROMANS, EPISTLE TO THE.—One of the books of the New Testament, written by the apostle Paul, and addressed to the Christian church at Rome. It is the fifth in order of time, though placed first among the epistles, either from the predominance of Rome, or because it is the longest and most comprehensive of the apostle's epistles. It is generally agreed to have been written about A.D. 58, after he had passed through a lengthened period of experience. That it is the genuine and authentic production of the apostle, has rarely been called in question, and is supported by the strongest evidence. It was written from Corinth, and sent to Rome by one Phoebe, a servant or deaconess of the church at Cenchrea. The occasion of it was, doubtless, the disputes that began to prevail among the Christians at Rome. The Church there was composed of both converted Jews and Gentiles, and the former, attached to the Mosaic institutions, were desirous of imposing upon their Gentile fellow-worshippers many of the Mosaic rites and ceremonies, especially that of circumcision. The Gentiles, on the other hand, despised the prejudices of the Jews; and hence the divisions and contentions among them which called forth the admonitions and cautions contained in this epistle. His object clearly is to restrain the presumption of both parties, by showing that neither could pretend to merit, or had reason to glory or boast of their calling, which proceeded from the mere grace and mercy of God. He lays down the grand position that the gospel is the power of God unto salvation to every one that believeth, to the Jew first and also to the Gentile. He opens his argument by a clear statement of the obligations which mankind are under to God their Creator, as manifested in the works of creation, and of the deplorable condition of the Gentile world, who had apostatized from him (ch. i.). He then proceeds to evince that though the Jews were blessed with a written revelation of the Divine will, they had treated it in much the same way that the Gentiles had done the law of nature (ch. ii.); hence he infers the universal sinfulness of both Jew and Gentile, and the consequent impossibility of any of the fallen race of Adam being justified by their own obedience (ch. iii.). He then proceeds to exhibit the revealed way of deliverance, through the redemption effected by the Son of God, and the doctrine of justification by faith in his blood, which he proves and illustrates very fully (ch. iv., v.). He next shows that this way of justification by faith in the blood of Christ is intimately connected with sanctification and evangelical obedience (ch. vi.); expatiates on the inefficiency of the law, compared with the gospel, to aid the believer in his experience and conflicts (ch. vii.); and from a review of the exalted privileges of Christians, and the motives and aids to holiness thence derived, he leads our reflections back to the source of all these spiritual blessings, which he traces to the eternal gratuitous election and sovereign love of God (ch. viii., ix.). Having stated, proved, and answered objections to his doctrine, and discussed several questions respecting the calling of the Gentiles and the rejection of the Jews (ch. x.), he foretells the ultimate conversion of both to Christianity in the millennium,

and closes his great argument with awful adoration of God's magnificent designs, and a practical improvement of the whole discourse by various exhortations, instructions, and precepts (ch. xi.). In chapters xii.-xv. the apostle particularly gives the rules of Christian morality, and advice concerning mutual harmony, mutual forbearance, and reciprocal condescension to infirmities, for fear of scandalizing or offending one another by indiscreet liberties. He describes false teachers, and exhorts believers to avoid them. The last chapter (xvi.) contains salutations and commendations addressed to particular persons. The last chapter appears to have been added, at later and different times, to the epistle, probably while waiting for an opportunity of sending it off; but there is no reason for supposing, as some do, that it is by another hand. In order fully to understand this epistle, it is necessary to read at least the first eleven chapters at once, uninterruptedly, keeping in view at the same time the characters and circumstances of the two parties addressed. "It is a writing," says Dr. Macknight, "which for sublimity and truth of sentiment, for brevity and strength of expression, for regularity in its structure, but above all, for the unspenkable importance of the discoveries which it contains, stands unrivalled by any mere human composition; and as far exceeds the most celebrated writings of the Greeks and Romans, as the shining of the sun exceeds the twinkling of the stars." Numerous commentaries have been written on this book, and more particularly would we refer to those of Moses Stuart, Tholuck, Knight, Pardue, and Brown.

ROOD, HOLY, *root* (Anglo-Saxon, *root*, a cross).—Rood was a word often applied in former times to a figure of the cross or to a crucifix, especially the large crucifix placed at the entrance of the chancel in mediæval churches. The cross on which our Saviour suffered was usually spoken of as the *Holy Rood*, from which Holyrood at Edinburgh obtains its name.

Rood Loft, Rood Screen.—A gallery or screen at the entrance to the chancel in mediæval churches, where the rood, or larger crucifix, was placed. On either side of the crucifix were often placed figures of the Virgin Mary and St. John.

ROSARY, *ro'-za-rye* (Lat., *rosarium*, a rose-bed).—Among Roman Catholics is a string of beads employed by them to count their prayers. It consists of fifteen large and one hundred and fifty small beads, intermixed, the large ones being for the Paternosters, the small ones for the Ave-Marias. It is said by some to have been instituted by St. Dominic, but others give it a higher antiquity.

ROSICRUCIANS, *ro-si-krud'-she-ans*.—The name of a sect of philosophers, called hermetical philosophers, who were members of a secret society, which arose, or at least first became conspicuous, in Germany in the beginning of the 14th century. The existence of this society first became known to the public in the 17th century, by means of several publications which have been attributed to John Valentine Andreæ, a German scholar, born in 1586, who was a man of a mystical turn of mind, and had conceived the idea of effecting a general reform of mankind. He wrote many works, chiefly on mystic subjects. One of them, entitled *Anna Fraternitatis des löblichen Ordens des Rosenkreuzes*, describes how a certain Christian Rosenkreuz, a German noble of the 14th century, after travelling long in the

East, returned to Germany, and there established a fraternity or secret society of a few adepts, under certain regulations, living together in a building which he raised under the name of Sancti Spiritus, where he died at the age of 106 years. The place of his burial was kept a profound secret by the adepts, and the society renewed itself by the admission of successive new members, in silence and obscurity, according to the last injunction of its founder. The Rosicrucians appear to have pretended to know all sciences, and chiefly medicine, of which they professed themselves the restorers. They also asserted that they were masters of important secrets, and amongst others, that of the philosopher's stone, all which they affirmed that they had received by tradition from the ancient Egyptians, Chaldeans, the Magi, and Gymnosophists. They have been distinguished by several names, accommodated to the branches of their doctrines. As they pretended, for instance, to protract the period of human life by means of certain nostrums, and even to restore youth, they were called *Immortales*; as they pretended to know all things, they were called *Illuminati*; and because they have made no appearance for some time, they have been called the *Invisible Brothers*. Their society is frequently signed by the letters F.R.O., which by some are translated *Frates Roris Cocti* (Brothers of Concocted Dew), because it was pretended that the matter of the philosopher's stone is dew concocted or exalted. Others have asserted that the name is derived from the arms of the reformer Luther, which were a cross placed upon a rose. Some writers on the subject maintain that the Rosicrucians are but a branch or affiliation of the Freemasons.

ROYAL ASSENT.—When a bill has passed both Houses of Parliament, it receives the royal assent before it becomes law. There has not for many years been an instance of its being withheld; the last is said to have been in the reign of Queen Anne. The Royal assent may be given by the sovereign in person, robed, crowned, and seated on the throne in the House of Peers, with the Commons standing at the bar, or by commissioners appointed for that special purpose, and for that single occasion. Of late years, except in the case of bills augmenting the Royal income, the practice has been to give the royal assent by commission; but in the former case, the sovereign usually prefers a personal manifestation of thanks. The commissioners are usually three or four of the great officers of state. The Royal assent to each bill is announced by the clerk of Parliament in Norman-French. Having read the title, he says, if it is a bill of supply—*Le roi (or la reine) remercie ses loyaux sujets, accepte leur benvolence, et ainsi le veut*; if any other public bill—*Le roi le veut*; if a private bill—*Sont fait comme il est desire*. The form of the refusal of assent is in the gentle language of *Le roi (or la reine) s'aviserá*—i.e., the king (or queen) will consider it.

ROYAL HOUSEHOLD.—The principal officers and attendants of the royal household of the sovereign of Great Britain are as follows:—*A private secretary.*—The keeper of the *privy purse*, whose office is, comparatively speaking, newly created, no such thing as a *privy purse* having been known before the reign of George III. The *privy purse* is entirely limited to the personal expenses, charities, &c., of the sovereign.—The *lord steward of the household*, whose office

is one of great trust, dignity, and antiquity, and whose authority extends over all the other officers and servants except those of the chapel, chamber, and stable; he is also judge of all crimes committed within the court or the verge.

—The *treasurer of the household* is the officer next in rank to the lord steward in that department, and has power, with certain other officers, in the lord steward's absence, to judge offenders within the verge of the palace.—The *comptroller of the household* is next to the treasurer, and checks and examines all the accounts of the Board of Green Cloth for the expenses of the household.—The *master of the household* is next to the comptroller; his office is to survey the accounts of the house, and he has a special charge and oversight over the household with regard to their behaviour and the manner in which they perform their duties.—The *knight marshal*, or *marshal of the household*, is a deputy to the lord steward, and his duties may be said to be to superintend the police of the palace.—The *lord chamberlain of the household* was formerly intrusted with the responsible duty of indorsing upon all petitions presented to the sovereign his majesty's answers; but his duties are now confined to the superintendence and control of all the officers and servants of the household above stairs, and of the wardrobe and state band; he has also the licensing of dramatic entertainments, besides other duties.—The *vice-chamberlain* is his deputy.—The *lords-in-waiting* are what their name implies; they attend in rotation, form part of the ordinary court of the sovereign, and are present on all state occasions: their appointments are political.—The *grooms-in-waiting* attend in like manner.—The *gentlemen ushers of the privy chamber* are in constant attendance, and conduct the sovereign in the absence of the higher officers.—The *gentlemen of the privy chamber* hold now merely honorary appointments, no services of late years having been required of them.—It may here be remarked that the office of *groom of the stole*, during the present female reign, is in abeyance; his authority was exclusive in all matters relating to the bedchamber, and is now possessed by the mistress of the robes. (See ROBES, MISTRESS OF.)—The *yeomen of the guard* and the *gentlemen-at-arms* are what their names imply of the household. The former corps consists of a captain, lieutenant, ensign, four exons, and one hundred yeomen; the latter, whose duties consist of attendance at drawing-rooms, levees, and state ceremonials, consists of a captain, lieutenant, standard-bearer, and forty gentlemen, the latter obtaining their appointments by purchase.—The *master of the horse* is considered the third great officer of the household, and, as his title implies, has the government of the royal stables, horses, &c.—The *clerk marshal* and *chief equerry* has authority next to the master of the horse in the same matters.—The *master of the buckhounds* is another ancient office connected with this part of the household, but his duties are now restricted to the management of the royal hunt. The last-named three offices are political. There remain to be mentioned four equeries and four pages of honour, who are the personal attendants upon the queen, and form part of the state of her court.

ROYAL MARRIAGE ACT.—An Act passed in the year 1772, in consequence of the marriage of the Duke of Gloucester, the king's brother, with the widow of the Earl Walde-

grave, and of the Duke of Cumberland with the widow of Colonel Horton, and daughter of Lord Ingham. By this statute none of the descendants of George II., unless of foreign birth, can marry under the age of twenty-five, except with the king's consent; at and after that age, the consent of Parliament is necessary to render the marriage valid. The marriage of the Duke of Sussex with Lady Augusta Murray, which took place in 1793, was declared illegal, and the claims of their son, Sir Augustus d'Este, pronounced invalid, in 1844, by the House of Lords.

RUBRIC, *ru'-brik* (Lat., *ruber*, red).—Is applied in a general sense to any writing or printing in red ink, a practice more frequently adopted formerly than now, for the sake of distinction. In this way, titles and matters deserving special notice were set down; and hence, in certain ancient law-books, the titles of the chapters were called rubrics. More particularly is the word applied in the present day to the rules and directions laid down in the Book of Common Prayer, for regulating all matters connected with the performance of divine service. In most editions of the Prayer-Book the rubrics are now printed in Italics.

RULE NISI.—A term in English and Irish Law meaning a rule *unless*—i.e., a rule or order of the court that certain things must be done, *unless* the opposite party show cause or give good reason within a certain time why they should not be done. If afterwards these reasons are held to be sufficient, the rule is discharged; if otherwise, the rule is made absolute—i.e., the things must be done, or certain penalties will be inflicted.

RULE, *rule* (Sax., *regol*).—In Law, is an order of one of the three superior courts of common law. Rules are either general or particular: the former relating to matters of practice, and laid down by the court for the general guidance of the suitors; the latter are such as are confined to a particular case. Of these last, some are "of course," others "on the motion" or application of the party interested.

RUMP PARLIAMENT, *rump*.—Is the name given to the remnant of the Long parliament. After the Long parliament had declared in favour of the king, Colonel Pride, at the head of two regiments, blockaded the house, 6th December, 1648, and seizing in the passage forty-one members of the Presbyterian party, sent them to a low room, known as "hell." Above 160 members were excluded, and none were allowed to enter but the most furious and determined of the Independents, in all not exceeding sixty. This proceeding was known by the name of "Pride's Purge," and the remaining members were called the "Rump." It voted the transactions of the house a few days before to be entirely illegal, and the late treaty with the king dishonourable and dangerous. It then decreed that the king should be tried for treason against the people; and on the Peers refusing their concurrence, the Commons passed the ordinance for the trial (6th January, 1649). They voted that the concurrence of the House of Lords was unnecessary, as the people were the origin of all just power, and that the house itself was "useless and dangerous." It passed acts abolishing the office of king and the peerage, &c., and at length Cromwell entered the house with a strong guard, and terminated its existence by expelling the members, 20th

April, 1653. After Richard Cromwell abdicated the government, a council of officers seized the supreme authority, and again called together the Rump parliament, May 1659. The vigour which it soon began to display, more particularly in cashiering some of the officers, gave offence to its constituents, and they accordingly dissolved it on the 13th October in the same year. A military government was then established; but such proceeding being unpopular, the Rump was again assembled on the 26th of December. It once more assumed absolute authority; but after a time General Monk declared against it, and resolved to restore the excluded members, thus throwing the members of the Rump into a minority. The restored members proceeded to repeal many of the orders that had been already passed, and then dissolved parliament, giving orders for the immediate assembling of a new one.

RURAL ECONOMY, *ru'-ral* (Lat., *ruralis*, pertaining to the country).—A general term applied to the management of landed property, either by the proprietor or his agent. The term includes whatever conduces to the improvement of land for purposes of agriculture or grazing, either by the arrangement of the crops, or by fertilizing the soil by manure, or by the management of the produce. Rural economy also comprehends the keeping of agricultural animals and their breeding; the general management of domestic fowls, geese, ducks, pigeons, &c.; also the management of the garden. (See GARDENING.) One of the most interesting and important divisions of rural economy is bee-keeping. When properly conducted, the culture of bees becomes a source of considerable pecuniary profit. It only requires a moderate degree of attention and care; the expense is trifling, consisting of the first outlay in procuring a swarm, and providing suitable accommodation in the shape of hives or boxes. The return is very considerable, and may be regarded as clear gain. The old method of bee-keeping in England was that of annual destruction and renewal. Although this cruel practice is still followed in some parts of the country, it is decreasing. In other parts of Europe, the plan is, and has been, never to destroy the bees, but to take away a portion of their produce, and leave them the remainder for winter sustenance. Of late years many excellent inventions have been introduced, by means of which the honey can be removed from the hives without injuring the bees.

RUTH, BOOK OF, *ruth*.—Is the name of one of the books of the Old Testament, according to the English arrangement, inserted between the book of Judges and the books of Samuel, as forming a sequel to the former and an introduction to the latter. Among the ancient Jews it formed part of the book of Judges; but the modern Jews separate it, and make it the second of the five Megilloth. It takes its name from Ruth, a Moabitess, who, having married a Jew and lost her husband by death, proceeds with her mother-in-law to Bethlehem, where she leads a blameless life of poverty, and becomes the wife of a relative named Boaz, through whom she is an ancestress of David. It consists of four chapters, and may be divided into three sections: (1) An account of Naomi from her going into Moab with her husband, Elimelech, to her return to the land of Israel with her daughter-in-law, Ruth (ch. i.); (2) Boaz's interview with Ruth,

and their marriage (ii.—iv. 12); (3) the birth of Obed, the son of Boaz by Ruth, from whom David was descended (iv. 13—18). The genealogy with which it concludes is evidently incomplete, probably because the leading members only are mentioned. The date and authorship of this book are alike unknown. It was evidently written some time after the events to which it refers, for the expression "when the judges ruled," evidently implies that in the writer's time the kings had begun to reign. The general opinion is that it was written by Samuel. The canonical authority of the book has never been questioned, Ruth, the Moabitess, being mentioned in the genealogy of Christ (Matt. i. 6). The object of the book is evidently to show how a heathen, belonging even to the hated Moabitish stock, was honoured to be the progenitor of the great king David because she placed her reliance on the God of Israel.

RYOTS, *ri'-ots* (Arabic, *rayats*, to pasture).—The name given to the Hindoo peasants, or cultivators of the soil. They hold their possessions by a lease, which may be considered as perpetual, and at a rate fixed by ancient surveys and valuations. The standard for the regulation of the rates is lost, but it is known that it was never to exceed a fourth part of the gross produce of the

soil. This arrangement has so long existed, and so well accords with the ideas of the natives concerning the distinction of castes and the functions allotted to each, that it has been invariably maintained in all the provinces, subject either to Mahomedans or Europeans, and to both it serves as the basis on which their whole system of finance is founded. The precise mode in which, however, the ryots of Hindostan hold their possessions is a subject on which very different opinions have been formed by persons who have resided long in the country and filled some of the highest offices in its government. Some have imagined that grants of land were made by the sovereign to the villages or small communities, the inhabitants of which, under the direction of their own chiefs or headmen, tilled it in common, and divided the produce of it among them in certain proportions; whilst others maintain that the property of land has been transferred from the crown to hereditary officers of great eminence and power, denominated *Zemindars*, who collect the rent from the ryots and parcel out the land among them.

Ryotwar.—The assessment or settlement of the revenue made by the Government officers with the ryots. It is usually for a year at a certain rent, and without a third party intervening.

S.

SABAISM, *sai'-bai-izm* (Heb., *zaba*, lord).—Is that religion which worships the heavenly bodies, especially the sun and moon. The connection of these with the constant changes in nature, and their influence on the physical world, doubtless led to their being regarded in the character of deities. This religion prevailed in the East, particularly in Arabia, before the time of Mohammed.

SABBATARIANS, *sab-ba-tai'-re-anz*.—A term applied to such Christians as observe the seventh day of the week, as others do the first. They maintain that the seventh day of the week is of divine institution, and that Christians had no authority for changing it to the first. Some of the Baptists hold this view; but they are more numerous in America than in this country. The term is also popularly applied to such persons as observe the Sabbath very strictly.

SABBATH, *sab'-bath* (Heb., rest).—Is the name given in the Jewish economy to the seventh day of the week, being ordained as a day of rest, or total cessation from labour, and for the service of God, in memory of God's having rested on the seventh day, after the six days of creation. It also signifies, in the Bible, the eternal rest of God; also holy days in general. There is reason to believe that, from the earliest period of the race, man was required to consecrate at least one-seventh part of his time to the special and exclusive service of his Maker. It is the opinion of some "that immediately after the Fall, when Adam was restored to favour through a mediator, a stated form of public worship was instituted, which man was required to observe, in testimony, not only of his dependence on the Creator, but also of his faith and hope in the promise made to our first parents, and seen by them afar off." It is not unnatural to suppose that when the sentence went forth that man was to earn his bread

with the sweat of his brow, a period of rest should also have been instituted, which physiology teaches us to be required by nature, and religion to be necessary to the building up of the inner man. In the ten commandments given from Mount Sinai, that respecting the observance of the Sabbath holds a place in what is commonly called the first table. Its strictest observance was enjoined in the most solemn manner, under the severest penalties; and, with the exception of idolatry itself, there was no sin threatened with heavier punishments than Sabbath-breaking. Like other festivals, it was celebrated from evening to evening, beginning at six o'clock on the Friday evening and ending at the same time next day. Among the Jews of the present day, there are none of the institutions of their divine Lawgiver which they more highly honour. Christians still observe, as a day of rest, and for religious services, one day in seven, but without considering that it requires to be observed with the same degree of strictness that the Jews do. In general, Calvinists take a much more strict view regarding its observance than Lutherans. Further, Christians regard it as commemorative of the resurrection of Christ and the outpouring of the Holy Spirit, and that it is no longer the seventh, but the first day of the week, which is to be observed. (See LORD'S DAY.)

SABBATICAL YEAR, *sab-bat'-i-kal*.—Among the Jews, was every seventh year, when the land was left to itself and not sown. There are four special injunctions concerning it in the Pentateuch. (See Exodus xxii. 10th and following verses; Leviticus xxv. 2d verse; Deut. xv. 1st and following verses; Deut. xxxi. 10th and following verses.)

SACRAMENT, *sak'-ra-men't*.—Derived from the Latin *sacramentum*, which signifies an oath, particularly the oath taken by soldiers to

be true to their generals and to their country. It hence came to be used by the early ecclesiastical writers to denote those ordinances of religion by which Christians came under a sacred obligation to observe their part of the covenant of grace, and in which they had the assurance of Christ that he would fulfil his part of the same covenant. In strict conformity with this signification, it is used by Protestants to signify baptism and the Lord's supper. It afterwards came to signify any religious ordinance, and in general to stand for that which in Greek is expressed by the word *mysterion* (mystery), any emblematical notion of a sacred import, any external act having an internal or secret meaning. It is in this sense that the Church of England acknowledges other rites to be sacraments besides baptism and the Lord's supper (as the holy sacrament of matrimony); but it speaks of "two only as generally necessary to salvation." The Church Catechism defines a sacrament to be "an outward and visible sign of an inward and spiritual grace given unto us, ordained by Christ himself as a means whereby we receive the same, and a pledge to assure us thereof." The sacraments of the Roman church are Baptism, Confirmation, the Eucharist, Penance, Ordination, Marriage, and Extreme Unction. The Eucharist is by way of eminence called the holy sacrament. The number of seven sacraments was first decreed by Eugenius in the 15th century.

Sacramentarian.—The name of a party at the time of the Reformation, which separated from Luther concerning the doctrine of the Eucharist. (See REFORMATION, REAL PRESENCE.)

SACRARIUM, *sak'-ra-ri-um*.—In old Roman houses was the name given to a sacred apartment.

SACRIFICE, *sak'-re-fise* (Lat., *sacer*, sacred, and *facio*, I make).—Is an offering made to an object of religious worship. Co-existent with the feeling of religion, with the belief in the existence of a Supreme Being who superintends the affairs of mortals, is the desire to secure his favour and avert his displeasure. Hence we find the idea of sacrifices existing in all times, among, probably, every people. It is generally supposed that sacrifices were instituted immediately after the "fall of Adam, when God made with him the covenant of grace." This supposition is founded on the fact that God clad Adam and Eve with the skins of beasts. In the next generation we find Cain and Abel offering sacrifices unto God. Hence, some account for the universal prevalence of sacrificial worship in some form or other. Sacrifices formed a prominent part of patriarchal worship, and the sacrificial code was at length consolidated by Moses. In the Jewish religion we have a complete system of sacrificial rites, and strict rules laid down regarding them. Animal sacrifices were of four general kinds: viz., burnt-offerings, sin-offerings, trespass-offerings, and peace-offerings. The first three had an expiatory virtue, that is, they made atonement for those that offered them; the last were more particularly expressive of gratitude for mercies received, or supplication for mercies desired. As a sacrifice was not only intended to represent the offerer, but also to convey his deepest feelings on the occasion of the offering, the selection of the object was upon the ground of its nearness of relation and preciousness to the offerer. It must be his own, the first and best of its kind; it must

be what he values and loves. Another peculiarity of a sacrifice consisted in destroying, in whole or in part, the offering presented. In the heathen world, human sacrifices have been very generally prevalent, apparently from a notion that human life is the most precious thing that can be offered to a divine Being. Christians regard the sacrifices of the Jewish economy as typical of the death of Christ, whom they regard as the one great sacrifice, which has for ever made atonement for the sins of men.

SACRILEGE, *sak'-re-lee* (Lat., *sacrilegium*).—The crime of violating or profaning sacred things, or things offered to God, or of alienating to laymen, for common uses, what was given to religious persons, or for pious purposes.

Sacrilege.—In Law, it is defined to be "the felonious taking of any goods out of any parish church, or other church or chapel." By the common law, sacrilege was punished with greater severity than other thefts, for the benefit of the clergy was denied to the offender; but by statute it was put on a footing with other felonies. By 7 & 8 Geo. IV. c. 23, it is enacted that "if any person shall break and enter any church or chapel, and steal therein any chattel, or having stolen any chattel in any church or chapel, shall break out of the same, every such offender, being convicted thereof, shall suffer death as a felon." By 5 & 6 Wm. IV. c. 81, capital punishment for this offence was abolished, and transportation for life or not less than seven years, or imprisonment not exceeding four years, substituted. Act 6 & 7 Wm. IV. c. 4, limited the term of imprisonment to three years. By 24 & 25 Vict. c. 95, 90 (1861), previous acts were repealed, and penal servitude for life, or not less than three years, or imprisonment not exceeding two years, substituted.

SACRISTAN, *sak'-ris-tan* (Lat., *Sacra*, sacred things).—A name (from which the word sexton is derived) applied to a person charged with the care of a church; he is, however, under the priest of the church, and, in the Roman Catholic Church, often a clerk in minor orders.

SACRISTY, *sak'-ris-ty*.—The name given to an apartment attached to a church, in which the sacred objects used in public worship are kept; the clergy also meet here to prepare for the ceremonies in which they are about to engage in the church.

SADDUCEES, *sad'-du-sees* (Gr., *saddoukaion*).—One of the principal of the Jewish sects in the time of Christ. It is said to have been founded by Sadoc, a disciple of Antigonos Sochos, president of the Sanhedrim at Jerusalem, and teacher of the law in the principal divinity school of that city. This system was a natural reaction from the doctrines of the Pharisees. The latter were enamoured with forms and ceremonies, the other despised and condemned them. They denied the existence of any spiritual beings except God, maintained that there was no resurrection, and that the soul died with the body; hence that there could be no rewards and punishments beyond this life. They rejected the traditions of the Pharisees, and according to some, they rejected also all the books of the Old Testament, with the exception of the Pentateuch. They denied the providence of God, and held that men were left to pursue their own courses without any divine interference. Though thus opposed to the Pharisees, they were equally opposed to the doctrines of our Saviour. They were less numerous and popular than the Pharisees, and seem for the most part to have comprised men of wealth and station.

SAFE-CONDUCT, *saf-kon'-dukt*.—A convey or guard granted by sovereign authority to certain persons to enable them to pass through certain places unmolested. In most cases, passports have now superseded special safe-conducts. They are sometimes given by judges to delinquents to enable them to act in their affairs, while in Germany they are sometimes given to enable an accused person to defend himself without having the disadvantages of a prosecution.

SAINTS, SAINTS DAYS, *saints* (Lat., *sancti*, holy persons).—Is applied by the Church to persons who have been distinguished for their pious and holy lives. The apostles, in their epistles, use the word simply for all baptized believers, that is for all Christians. Early in the history of the Christian church, persons eminent for their holiness or piety came to be regarded with great veneration, and their memory cherished after their death; and these came in an especial manner to be dignified with the name of saints. Hence, days came to be observed in honour of them; and in course of time it came to be the custom to ask their prayers and intercessions with the Deity in favour of the living. This increased to such an extent, that in the 9th century the Church declared that no departed Christian should be considered as a saint to whom prayers might be addressed until the Church had pronounced him worthy of that honour. According to the doctrines of the Roman Catholic Church, "the name of saints is given to a person who is not only much attached to the worship of the true God, but who is exempt from every considerable vice, and who practises the Christian virtues in an exalted degree; and as the bliss of heaven is the certain reward of such a life, we often understand by saints those who enjoy eternal felicity. When the Church is convinced that an individual has led such a holy and pure life, when God has deigned to attest it by miracles, it places him among the number of the saints by a decree of canonization, and authorizes the faithful to render him public worship." (See CANONIZATION, INVOCATION OF SAINTS, BOLLANDISTS.)

SAINT SIMONIANS, *saint si-mo'-ne-anz*.—The followers of Claude Henri, Count de St. Simon, a descendant of one of the most illustrious families of France, claiming connection with the Emperor Charlemagne. From his youth he had entertained ideas of greatness, but without any settled purpose; and, after some time spent in the army, he pursued various unsettled wanderings in France and Spain. At length he came to the conclusion that something must be done for "the advancement of human civilization;" and accordingly, when near the age of forty, he commenced a ten years' course of study, in order to put himself thoroughly abreast of the knowledge of his time. He attended classes and lectures, established at his house assemblages of the learned and scientific, assuming the position of generalizer, and employing them as his workers in the several details. Further, in order to understand humanity in its every phase, he gave himself up to all manner of self-indulgence. All the appliances of science and art were laid under contribution in order to the gratification of pleasure or the production of pain. He practised all the vices, alternating them in proper scientific rotation with their several virtues. He courted contagious diseases and physical suffering, and

even, on a later occasion, attempted to commit suicide, but only succeeded in blowing out one of his eyes. Poverty at length stared him in the face, and he was glad to accept a clerkship at £40 a year; but his genius still beckoned him on, and in 1812 he gave to the world his first publication, "Letters from an Inhabitant of Geneva to his Contemporaries." This was followed by various others, expounding his system; his last and principal work being the "Nouveau Christianisme," published after his death in 1825. He regarded Christianity as progressive. First came Catholicism, next Protestantism, and lastly St. Simonianism. The basis of his system was the great Christian maxim, "Love one another." "Moses had promised it to men, Jesus Christ had prepared it, and St. Simon realized it." His aim was the rapid amelioration, physical and moral, of the condition of the poor and most numerous class of society. To effect this, every one was to have a vocation according to his capacity, and every capacity a recompense according to its works. It was a religion in which all things were to be subservient to one supreme head—himself, and after him the ablest of his disciples. Property, and all other conflicting institutions, were to be abolished, and nothing was to interfere with the will of the father or supreme leader, whose authority was thus great and absolute. The abolition of competition, and the organization of labour on such a more fitting and effective scale as the superior wisdom of the priesthood would naturally suggest, was a portion of the system. The transmission of property as well as of offices was to be abolished; industry was to be regulated in obedience to a self-constituted authority, and its advantages portioned out in the ratio of merit. The unholy bond of matrimony was to be abolished, and there was to be substituted for its restraints obedience to the sacred instincts of inclination, as directed by the unerring wisdom of the Supreme Father. The empire of society was to be substituted for that of the family. Among the disciples of St. Simon were Olinda Rodrigues, Augustin Thierry, Auguste Comte, Bazard, and Enfantin. On the death of St. Simon, Bazard announced himself as his successor, and in a short time collected a number of adherents, who formed themselves into a society, and dwelt together in the Rue Morsigny. They started a weekly journal—*L'Organisateur*, and soon after gained an able coadjutor in Pierre Leroux, editor of *Le Globe* newspaper. A schism afterwards occurred among the leaders as to certain points of doctrine, and a number of the society seceded. A government prosecution led to the dissolution of the society in the Rue Morsigny, and *Le Globe* became extinct. Enfantin and about forty others retired to a country house in the neighbourhood of Paris, and instituted a sort of monastery; but this establishment was broken up, and the inmates dispersed, by public prosecution, in 1832, and since that time St. Simonianism has been virtually extinct.

SAIVAS, *sav'-vats*.—In India, votaries of the god Siva. They form one of its three great divisions of sects in that country. (See HINDOO RELIGION.)

SALE, *sail* (Sax., *sal*).—Is the act of selling; that transaction by which the ownership of property is transferred from one person to another, in consideration of a money payment made by the buyer to the seller. If it be a commutation

of goods for goods, it is more properly an exchange. In order to preserve the validity of a sale, it is necessary that the parties act in good faith; for it is a maxim in law, that fraud vitiates all contracts. Neither is a sale valid if the subject matter of it is illegal or prohibited, or if an essential part of it involves an illegal act. In order to constitute a sale, the consent of each of the parties is required; and hence each must be legally qualified to consent. (See BARGAIN AND SALE.)

SALE, BILL OF. (See BILL OF SALE.)

SALIC, or SALIQUE LAW, sal'-ik (Lat. *lex Salica*).—Is an ancient fundamental law of France, supposed to have been made by Pharamond or Clovis, in virtue of which, daughters were excluded from the inheritance, and sons alone considered capable of succeeding to it. The term most probably is taken from the name of the ancient Franks,—Sali, or Salici, so called from Sala, a river of ancient Germany. The Salic law is said to have been made for the Salic lands, which were given to the Salic Franks who settled in Gaul, and field their lands upon condition of their personal service in war. It was, however, extended even to the throne; and from the earliest periods of the French monarchy, no princess succeeded to the throne, except by force of some law different from the ordinary usage. The Salic law was first alleged against Edward III. of England, in his contests with Philip VI. about the French throne, and has continued in force since that time.

SALVAGE, sal'-vayj.—In Mercantile Law, is an allowance made to persons other than the crew, by whom ships or goods have been saved from the sea, fire, pirates, or enemies. The officers and crew of a ship cannot claim salvage in respect of services rendered to it, unless, indeed, their duty to its owners had ceased by the master's *bona fide* abandonment of it at sea, without hope of recovery. No fixed positive rule or rate is laid down fixing the amount of salvage, but the general principle is, that a reasonable compensation be made. The ingredients that are to be taken into account in determining the amount of salvage are—(1) enterprise in the salvors in going out in tempestuous weather to assist a vessel in distress, risking their own lives to save their fellow-creatures, and to rescue the property of their fellow-subjects; (2) the degree of danger and distress from which the property is rescued, and whether it was in imminent peril and almost certainly lost, if not at the time rescued and preserved; (3) the degree of labour and skill which the salvors incur and display, and the time occupied; (4) the value. Where all these circumstances concur, a large and liberal reward ought to be given; but where none, or scarcely any, take place, the compensation can hardly be denominated a salvage compensation; it is little more than a mere remuneration for labour. "Looking to the current decisions, it will be found that it (the amount of salvage) is rarely less than one-third or more than one-half of the property saved, unless the services have been very inconsiderable, or the amount of the property has been very great." Sometimes, however, a fifth, sixth, or tenth only has been awarded. By the common law of England, the salvor is entitled to retain possession of the goods saved until the proper compensation is

made to him for his trouble. Acts 3 and 4 Vic. c. 65, and 17 and 18 Vic. c. 104, give jurisdiction to the High Court of Admiralty to decide upon all claims relating to salvage. By the latter of these Acts, a variety of regulations are made respecting wrecks and salvage, and the Board of Trade is authorized to appoint receivers of wreck for particular districts, whose duty it is, in the case of any vessel stranded or in distress on shore, to proceed to the place and take command of all persons present, and issue such directions as should be thought fit; and any person wilfully disobeying such directions forfeits a sum of £50. All cargo and other articles belonging to a vessel in distress that may be washed on shore are to be delivered to him.

Salvage Corps.—In 1865, Messrs. Pocker and Le Maitre submitted to the various insurance offices a scheme for the formation of a salvage corps. In the following year it was decided to organize a brigade, to consist of one superintendent, five foremen, thirty permanent men, and sixty auxiliaries. This corps has been in existence ever since.

SALVATION, sal val'-shun.—In general, denotes deliverance from some great evil or danger. Thus God's conducting the Israelites through the Red Sea, and delivering them out of the hands of the Philistines, is called a great salvation. In Religion, is the saving of man from sin, and from future punishment. (See the names of various sects, &c.)

SAMUEL, BOOKS OF.—Are two of the canonical books of the Old Testament, called after the prophet Samuel, their reputed author. They were anciently reckoned as one book by the Jews, the present division into two being derived from the Septuagint and Vulgate. Various attempts have been made to determine the age and authorship of these books, with more or less of probability. The common opinion, founded on 1 Chron. xxix. 29 ("Now the acts of David the king, first and last, behold they are written in the book of Samuel the seer, and in the book of Nathan the prophet, and in the book of Gad the seer"), is that the first twenty-four chapters were written by Samuel himself, and the remainder by Nathan and Gad. There is no reason to believe, however, that these documents were identical with the present books of Samuel. From Samuel and Kings, being sometimes called the four books of Kings, Jahn is of opinion that they were all written by the same person, and at a date so recent as the thirtieth year of the Babylonish captivity. This hypothesis, however, will not stand the test of criticism. The language and style of the books are very different, denoting different periods and different authors. The books of Samuel bear the impress of a hoary age in their language, allusions, and mode of composition. The insertion of odes and snatches of poetry, to enliven and verify the narrative, is common to them with the Pentateuch. They appear to have been made up from documents contemporary, or nearly so, with the events to which they refer, and wrought into their present form by some later hand. Some portions are more fully detailed and warmly coloured than others, and the minute and vivid sketches with which they abound prove that their author speaks what he knows, and testifies what he has seen. With respect to the person who compiled and brought them together in their present form, all that can be affirmed with probability is that he lived not long after the time of David. The

historical character of the books is abundantly supported both by external and internal evidence. Portions of them are quoted or referred to in the New Testament, and allusions to them also occur in the book of Psalms, to which they often furnish historical illustration. Much has been made of discrepancies and contradictory statements that are said to occur in these books. Many of these are not contradictions. Several of the older objections of Hobbes, Spinoza, Simon, and Le Clare, are satisfactorily disposed of by Carpzovius; the more recent by Hävernicks, Keil, Hengstenberg, and Dr. Davidson. Granting that some remain, neither the inspiration of the compiler, nor the credibility of the general history, is ruinously affected. Discrepancies in minor matters of chronology and small points of history are of little moment. In these books we have biographies of Samuel, Saul, and David. The whole time occupied being 152 years.

SANCTIFICATION, *sank'-tif-e kái'-shun* (Lat., *sanctus*, holy, and *facio*, I make).—Is the work of the Holy Spirit on the soul of the regenerate man, by which it is made "meet for the inheritance of the saints in light." It is to be carefully distinguished from justification, which is the divine pardon and acceptance of the sinner. It is the progressive conformity of the heart and life of the Christian man to the will of God from his justification to his final salvation.

SANCTUARIES, *sank'-tu-a-ree'* (Lat., *sanctus*, holy).—Among the ancient Jews, a sanctuary was the innermost chamber of the tabernacle, afterwards of the temple, in which was kept the ark of the covenant, and was never entered, except by the high-priest once a year. It was also called the Holy of Holies. In the Christian church, the bema or inner portion of the church, immediately round the altar, was called the sanctuary. From the sacred character of the churches and from the rising power of the clergy, they came to be resorted to as asylums by fugitives from the hands of justice, and afterwards certain churches were set apart specially for that purpose, and were termed sanctuaries. The gross abuses to which this system gave rise, as tending entirely to defeat the ends of justice, led to its abolition in all Protestant countries, and it has also fallen into disuse in most of the Roman Catholic states. Formerly in England a person accused of any crime (except treason and sacrilege), if he fled to any church or churchyard, and within forty days after went in sackcloth and confessed himself guilty before the coroner, and thereupon took the oath that he abjured the realm and would depart from thence forthwith, he saved his life, but forfeited his goods and chattels. By 27 Hen. VIII. c. 19, and 32 Hen. VIII. c. 12, the immunities of these privileged places were very much abridged; and by 21 Jac. I. c. 28, all privilege of sanctuary and abjuration, consequent thereupon, is utterly taken away and abolished.

SANDEMANIANS. (See GLASSITES.)

SANHEDRIM, OR SANHEDRIN, *sank'-he-drim* (Gr., *sanedrion*, a council or assembly).—The name given by the Jews to the great council of the nation, instituted in the time of the Maccabees, and composed of seventy-two members. Moses, indeed, established in the wilderness an institution composed of seventy-two members, whose functions are commonly believed to have been of a judicial nature; but this

is supposed not to have been of long continuance, as we have no further account of it in the Old Testament. The members who were admitted to a seat in the Sanhedrim were—1. the chief priests; 2. elders, that is, the princes of tribes and heads of families; and 3. scribes or men of learning. Of the latter two classes, those only had a seat who were elected or nominated by the ruling executive authority. The high-priest generally filled the office of president; besides whom there was a vice-president, who sat on his right hand, and according to some, a second vice-president, who sat on his left hand. The other members sat in such a way as to form a semicircle. According to the Talmudists, they assembled in a chamber within the precincts of the temple; but according to Josephus, it was in a room on the east side of Mount Zion, not far from the temple; and at the trial of Christ we read that they assembled in the high-priest's house. The authority of this council was very extensive. It decided on all the great affairs of the nation, and it was also a court of appeal from inferior tribunals. The right of judging in capital cases and pronouncing sentence of death belonged to this court alone. In the time of Christ, its power had been much limited by the interference of the Romans. It still retained the right of passing sentence of death, but the power of executing it rested with the Roman procurator.

SATAN, *sai'-tan*.—A Hebrew term, meaning enemy or adversary, and is used in several instances in this sense in the Old Testament. Generally, however, it is applied to the devil, as being the great adversary and enemy of mankind.

SCAPULAR, OR SCAPULARY, *skap'-u-lar*.—A part of the monastic dress worn upon the shoulders. It consists usually of a long strip of material, the centre being placed over the head, one flap hanging down in front, and the other on the back.

SCANDAL, *skan'-dal* (Lat., *scandalum*).—In Law, is defined to be "a disadvantageous rumour or report, or an action whereby one is affronted in public." It is said that formerly no actions were brought for words unless the slander were such as, if true, would endanger the life of the object of it. But too great encouragement being thus given to false and malicious slanderers, it is now held that for scandalous words that may endanger a man at law, by impeaching him of some heinous crimes; exclude him from society, by charging him with having an infectious disease; impair his trade by calling him bankrupt, and such like, an action on the case may be had without proving any particular damage to have happened. With regard to words that do not thus appear to be injurious, it is necessary to aver some particular damage to have been sustained. If the defendant be able to prove his words to be true, no action will lie for any words of defamation whatever, whether special damage has ensued or not; for the law then deems them to be unjustifiable.

SCEPTICISM, *skép'-te-sizm* (Gr., *skepsis*, doubt).—Is a term applied to "that negative system of philosophy which, by doubting of everything beyond the region of phenomena, doubts the possibility of all speculation;" or, according to Sextus Empiricus, it is "the power of opposing in all their contradiction the sensuous representations and the conceptions of the mind, and thus to induce perfect suspension of

judgment." The sceptic in general accepts of the phenomena of nature as he finds them, and, convinced of the impossibility of diving beneath the appearances to the real causes of things, contents himself with a spirit of doubt and indifference. The ten topics of argument used in the schools of the sceptics were:—1. That on account of the variety that exists in the organism of different animal bodies, it is probable that the same external object presents different images to different animals, and man has no reason for asserting that his perceptions are more conformable to the real nature of things than those of inferior animals.—2. That even among men there is a great diversity both of mind and body, which necessarily occasions a great variety of opinions, every one judging according to his particular apprehension, while no one is able to determine the real nature of things.—3. That the different senses give different reports of the same thing; and hence bodies may have different properties from those which the senses lead us to suppose.—4. That the same thing appears differently according to the different disposition or circumstances of the person who perceives it; whence it is impossible for any one man to pronounce that his judgment concerning any object is agreeable to nature.—5. That things assume a different aspect according to their distance, position, or place, and no reason can be assigned why one of these aspects should agree with the real object rather than the rest.—6. That no object offers itself to the senses which is not so connected and mixed with others that it cannot be distinctly separated and examined.—7. That objects of sense appear exceedingly different when viewed in a compound and in a decomposed state, and that it is impossible to say which appearance most truly expresses their real nature.—8. That every object being always viewed in its relation to others, it is impossible to determine what it is simply in its own nature.

9. That our judgment is liable to uncertainty from the circumstance of frequent or rare occurrence, that which happens every day appearing in a very different light from that in which the same thing would appear if new.—10. That mankind are continually led into different conceptions concerning the same thing through the influence of custom, law, fabulous tales, and established opinions. On all these grounds they held that every human judgment is liable to uncertainty, and that we can only say concerning anything that it seems to be, not that it is what it seems. They likewise maintained that every proposition requires some previous proposition to support it, *in infinitum*, or supposes some axiom which cannot be proved, and is therefore taken for granted without demonstration; that in argument, the point assumed and that which is to be proved may often be alternately used in each other's place, both being equally uncertain; and, lastly, that nothing can be understood by itself, as appears from the endless disputes of philosophers concerning the nature of things, nor by means of something else whilst itself remains unknown. This perpetual uncertainty and inelision on every point, this entire abnegation of man's proudest faculty, reason, is contrary to the manifest purposes which man has to serve upon earth, and but little accords with the religious activity and creative power of the mind. The most celebrated thinkers, if we may call them, of this class in ancient times, were Pyrrho, Timon, Cinesidemos, and Sextus

Empiricus; in modern times, David Hume. The scepticism of Hume was beyond all doubt the most thorough and wide-reaching that philosophy had yet witnessed. He starts with the popular theory of experience, and proceeds with surprising coolness to hew down every intellectual principle for which his theory was incapable of accounting. In open argument, in candid statement, and in solid attack, the Scottish sceptic is greatly in advance of his Greek predecessors. The scepticism of Hume called forth a host of assailants, and it has more or less influenced philosophical thought and opinion since that time, more particularly in the cases of Reid, Stewart, and Hamilton in Scotland; of Royer, Collard, Jouffroy, and Cousin in France; and of Kant, Fichte, Hegel, and Schelling in Germany.

SCHISM, *schisma* (Gr., *schisma*, a rent).—In its literal signification, denotes a rent or rupture in an object, or, figuratively, a diversity of opinion among persons constituting one body. In its common acceptation, however, it is used in the sense of separation, more particularly a separation or division among persons of the same religion or faith. Among ecclesiastical writers, the great schism of the West is that which happened after the death of Gregory XI. (1378), when Urban VI. and Clement VII. were set up as rival popes. It continued for nearly forty years, till the council of Constance elected Martin V.

SCIRE FACIAS, *si re fai-shi-as* (Lat., give notice).—In law, is a judicial writ, directing the sheriff to give notice to a party to show cause to the court whence it issues, why execution of a judgment passed should not be made out. In some cases, however, it is an original and independent proceeding, as where used for repealing a patent. Its use, however, is much more confined now than formerly, being supplanted by what is termed a writ of *revivor* in all cases in which it becomes necessary to revive a judgment by reason either of lapse of time or change of parties. It is still, however, the proper writ in several other cases of a like kind, to which a writ of revivor would not apply; as that of proceeding against bail on their recognizance, or for restitution after a reversal in error.

SCOTLAND, CHURCH OF.—According to some historians, the gospel was introduced into Scotland by the Culdees as early as the 2nd or 3rd centuries. Persecuted by the savage people among whom they came, they took refuge on the small island of Iona, off the west coast, which afterwards became a centre of missionary labours among the Picts, Scots, and Irish. Romanism, however, subsequently came to gain ground in the country, and after a struggle of some centuries, the Culdees finally disappeared about the 12th century. (See **CULDEES**). Though again and again the Scottish clergy asserted their independence in disputes with the Roman see, long before the time of the Reformation, they were sunk into the deepest subservience to that power, and the people steeped in the deepest ignorance and superstition. The wealth and corruptions of the church, says Dr. McCre, in his "Life of Knox," had grown to a greater height in Scotland than in any other nation within the pale of the Western church.

History.—Henry VIII., having seceded from the Church of Rome, used his influence with his nephew, James V. of Scotland, to break off all connection with

that church. It was arranged that James should marry Elizabeth, Henry's daughter; but Beaton and the priests secured his marriage with the daughter of the French king. The first Scottish martyr in the cause of the Reformed Church was Patrick Hamilton, a noble and godly youth, cousin of James V. While travelling on the Continent, he had become acquainted with the principles of the Reformation, and had taken counsel with Luther and Melancthon at Wittenberg. On his return to Scotland, he proclaimed the new doctrines, and through the influence of Cardinal Beaton, he was condemned for heresy, and burnt at St. Andrews, 28th February, 1528, at the age of twenty-four. A bitter persecution ensued, and other victims followed, but the cause of the Reformation continued to spread; for, as one of the bystanders said, "the reek (smoke) of Patrick Hamilton's fire infected as many as it blew upon." On the death of James V., Hamilton, Earl of Arran, was elected regent during the queen's minority, and was at first well disposed to the Reformers. An Act was passed, allowing the Scriptures to be read in English, and a treaty was concluded with Henry VIII. for effecting a marriage between his son Edward and the infant queen. A change, however, suddenly took place, the treaty was broken off, and the young queen given in marriage to the dauphin of France. Beaton and the priests were again in power, and the persecution raged afresh. The cardinal's last victim was George Wishart, a gentleman of family, who perished at the stake in St. Andrews, 2nd March, 1546. A few months later, a body of conspirators contrived to take possession of the castle, and the cardinal was put to death. The conspirators held the castle for some time, but were at length obliged to surrender to a French armament, and were taken to France. Among those who were thus carried away was John Knox, although not one of the conspirators. Knox resided for some time at Geneva, where, in the society of Calvin, his principles were strengthened. He still maintained a correspondence with the leaders at home, and in 1557 a bond or covenant was drawn and signed by a number of the lords and gentry, pledging themselves to stand by each other in defence of the principles of the Reformation. These were afterwards known as the "Lords of the Congregation." In 1559, Knox returned to Scotland, and the enthusiasm of the people could no longer be restrained. It broke out, in opposition to the admonitions of Knox and others, in acts of violence. On the 1st August, 1560, a parliament was held at Edinburgh, and a confession of faith, drawn up by Knox and others, laid before it, and declared to be the standard of the national faith in Scotland. Other Acts were passed, abolishing the power and jurisdiction of the pope in Scotland, repealing all Acts made in favour of the Church and against the Reformation, and ordaining that all who said mass, or were present at the celebration of it, should be punished. The first General Assembly of the Church of Scotland met on the 20th December, 1560, and consisted of only twelve ministers and thirty lay members. In 1567, it had increased to 257 ordained ministers, 151 exhorters, and 455 readers. Immediately after the meeting of the first assembly, Knox and five other ministers drew up the "First Book of Discipline," containing the principles of the Church of Scotland, which was approved by the General Assembly and the Privy Council. It was modified in some respects by the "Second Book of Discipline," of 1578, which was ratified by Parliament in 1592, and still continues to be received as an authority in the church. (See DISCIPLINE, BOOKS OF.) The deposition of Mary was favourable to the Reformation. The young king was crowned, and the Earl of Murray, a Protestant, was appointed regent. The General Assembly expressed its determination to support the lords hostile to the queen; and the parliament which met in 1567 repealed the Acts of Mary in favour of popery, and declared the Protestant Church to be "the only true and holy church of Jesus Christ within the realm." From this time the Protestant religion, though it passed through many conflicts, was firmly established, and the Reformation was complete. John Knox expired on the 20th of November, 1572, and after his death a long struggle of a quarter of a century took place—the court and the old nobility attempting the establishment of episcopacy against the remonstrances of the clergy and the indignant protests of the citizens

and middle classes. In 1580, the General Assembly passed an Act for the abolition of episcopacy; while the "Second Book of Discipline" declared the government of the Church to be by kirk-sessions, presbyteries, synods, and general assemblies. James VI., on his accession to the English throne, gave vent to his natural preference for episcopacy, which was at length fully established in Scotland. After the death of James, in 1626, the spirit of the burghers and middle-class began to revive; the prelates were odious and the nobility unpopular; while the courageous sufferings of the persecuted ministers gained their esteem. Charles I. followed in the footsteps of his father, and was at no pains to conceal his contempt for presbyterianism. In 1637, a liturgy was drawn up for the use of public worship, and on its introduction in Edinburgh a violent tumult broke out, which in a few days spread all over Scotland. A kind of provisional government was formed at Edinburgh, called the Four Tables or Houses, of the nobility, gentry, burghesses, and ministry respectively, pledging themselves to support the ancient doctrine and discipline of the Church, and declaring the recent innovations to be entirely contrary thereto. A general assembly was soon after held, which deposed the bishops and declared episcopacy to be abolished in the kingdom. In 1643, delegates were sent by the Church of Scotland to the assembly of divines at Westminster; and in 1647 the Confession of Faith, and larger and shorter catechisms, prepared by the Westminster Assembly, were approved and ratified by act of the General Assembly, and subsequently by act of parliament in 1649, and again in 1690. These still continue to be the authoritative standards of doctrine in the Church. During the Supremacy of Cromwell, the Church of Scotland enjoyed full liberty, except that the General Assembly was not allowed to meet; but on the restoration of Charles II., episcopacy was re-enacted, presbyteries were prohibited from meeting, and some hundreds of ministers were driven from their charges. (See COVENANTERS.) After the accession of William and Mary, the Presbyterian form of government was restored, and prelacy declared to be contrary to the principles of the Church of Scotland. The Act of Secularity passed in 1707 declared presbyterians to be "the only government of the Church within the kingdom of Scotland;" and in 1712 the Patronage Act became law, by which the rights of lay patrons were restored. This last has been the cause of frequent disturbances in the Church, and given rise to several secessions. After the Revolution, two parties arose gradually within the Church, the one distinguished for their attachment to popular interests and liberties, and regarded by their opponents as inclined to Antinomianism; the other characterized by moderate views, supporting the interests of the higher classes, and in favour of lay patronage. The "Marrow Controversy" which raged with great acrimony for some time, took its rise in the republication of an old English work of Calvinistic theology. It was regarded as evangelical by the popular party, and Antinomian by the moderates. The latter party were the more numerous, and obtained the mastery. They strictly prohibited all ministers from recommending the said book, "either by preaching, writing, or printing," and enjoined and required them to warn and exhort their people not to read or use the same. A dispute regarding the settlement of a minister at Kinross against the wishes of the parishioners called forth remonstrances from several of the clergy; and the Rev. Ebenezer Erskine having in a sermon before the synod of Fife denounced the corruption of the Church, was sentenced to a rebuke for his conduct, and with three other brethren protested and left the Church in 1733. This gave rise to the formation of the Secession Church. In 1753, the Rev. Thomas Gillespie was deposed for contumacy in refusing to assist in the ordination of an unacceptable presentee at Inverkelthing, and the Relief Church arose in consequence. These two secession bodies united together in 1847, and became the United Presbyterian Church. (The events which led to the "Disruption" of 1843 have been already noticed at length, under the head FREE CHURCH.) According to the census of 1857, the established church had 1,183 places of worship in Scotland, with 767,080 sittings, and the attendance was, morning 351,454, afternoon 184,192, and evening 30,763. Of

late years, the work of church extension has been carried on with great zeal and energy, and a number of new churches have been built. According to Sir James Graham's act, any chapel of ease or *quoad sacra* church may be raised to all the privileges of a parish church on the concurrence of a majority of the heritors, when a competent endowment has been secured. The subject was taken up with great zeal by the late Professor Robertson, of Edinburgh, and to his labours it is mainly owing that the large sum of about £400,000 has been collected for the endowment of such churches. (The constitution and government have already been noticed under PRESBYTERIANISM; and the doctrinal standards are simply the Westminster Confession of Faith.) In some acts of assembly, the larger and shorter catechism receive ecclesiastical sanction, and there are also the First and Second Books of Discipline, though the exact amount of authority due to these latter documents has sometimes been matter of dispute. In 1707, the form of process for the regulation of discipline became the law of the church. Candidates for the office of the ministry are required to attend all the classes necessary to obtain the degree of M.A., at one of the Scotch universities, and also to attend a theological course extending over four sessions.

SCRIBE, *skribe* (Lat., *scribo*, I write).—A word frequently used in Scripture and in various significations. In its original signification it denotes a writer, and was first applied to an officer of the king answering to our Secretary of State. It came afterwards to be applied to such as were skilled in the use of the pen, and then simply a learned man, or one learned in the Jewish Scriptures. In New Testament times, the scribes were a numerous class, and were generally of the tribe of Levi. They were the "doctors of the law," whose office was to explain the law, and a number of them had seats in the Sanhedrim.

SCRIPTURE, *skrip'tsher* (Lat., *scriptura*, a writing).—Denotes, in its literal sense, anything written, but is commonly applied by way of eminence to the books of the Old and New Testaments, as being the most important of all writings. They are frequently called the sacred or holy Scriptures, from the character of the doctrines which they teach. (See BIBLE.)

SEARCH, RIGHT OF, *serch* (Fr., *chercher*, to seek).—In the Law of Nations, is the right of belligerents, during war, to visit and search the vessels of neutrals for contraband of war. Some powerful nations have, at different times, refused to submit to this search; but all the highest authorities upon the law of nations acknowledge the right in time of war, as resting on sound principles of public jurisprudence, and upon the institutes and practice of all great maritime powers. The duty of self-preservation gives belligerent nations this right; and as the law now stands, a neutral vessel refusing to be searched would, from that proceeding alone, be condemned as a lawful prize. The right of search, however, is confined to private merchant vessels, and does not apply to public ships of war. The exercise of this right must also be conducted with due care and regard to the rights and safety of the vessels. A neutral is bound not only to submit to search, but to have his vessel duly furnished with the necessary documents to support her neutral character; the want of which is a strong presumptive evidence against the ship's neutrality, and the spoliation of them a still stronger presumption. There may be cases in which the master of a neutral ship may be warranted in defending himself against extreme violence threatened by a cruiser grossly abusing his commission; but, except in

extreme cases, no merchant vessel has a right to say for itself, nor any armed vessel for it, that it will not submit to visitation or search, or be carried into a proximate port for judicial inquiry. If, upon making the search, the vessel be found employed in contraband trade or in carrying enemies' property, or troops, or dispatches, she is liable to be taken and brought in for adjudication before a prize court. (See PRIZE.)

SEARCH-WARRANT.—A document, procured from a justice of the peace, to search for stolen goods.

SEASONS, *se'zons* (Fr. *saison*).—The four quarters of the year: spring, summer, autumn, winter. They are considered as commencing when the sun enters Aries, Cancer, Libra, and Capricorn, respectively. Thus, spring commences about the 21st of March; summer about the 22nd of June; autumn about the 23rd of September; and winter about the 23rd of December.

SECRETARY, *sek-re-ta-re* (Fr. *secrétaire*, from Lat. *secretum*, a secret).—Is, strictly, one intrusted with the secrets of his office or employer; but more generally he is a person employed in a public office, who writes letters, dispatches, and other instruments, by his master's orders.

Secretaries of State.—Are officers of the crown, who have under their management and direction the most important affairs of the kingdom. The origin of the office of secretary of state is lost in antiquity. In early times, the lord chancellor was the king's chief secretary, and had custody of the king's signet, with, under him, several clerks, who were called the "king's clerks of the signet." A second secretary was first appointed in the reign of Henry VIII., the two officers being equal in authority, and having the like duties, and in the reign of Edward VI. it appears that there were three principal secretaries of state. In the reign of James I. there were two secretaries of state, and Clarendon says that they "were not in those days officers of that magnitude they have been since, being only to make dispatches at the conclusion of councils, not to govern or preside in those councils." On the union with Scotland in 1706, a third secretary of state was appointed for the affairs of that country; but in 1743 this office was discontinued, and there were again only two secretaries of state, till 1783, when a third was appointed for the increasing business connected with our colonies. In 1782 this additional secretary was abolished; but in 1794 the War department was established, and a secretary of war appointed. In 1801 the business of the colonies was transferred from the Home department to the secretary at war, who was then styled Secretary of State for the Colonies. On the commencement of the Russian war, 1854, a new War department was created, and a fourth secretary of state appointed for this department. A fifth secretary of state was appointed for Indian affairs in 1858, when that possession came into the hands of the government. There is also a secretary of state for Ireland who is usually called secretary to the Lord Lieutenant. Each of these, with the exception of the last, is assisted by two under-secretaries of state, nominated by himself; the one being usually permanent, the other dependent upon the administration then in power. The secretaries of state are members of the privy council and have seats in the cabinet, and personally attend upon the sovereign on all public ceremonies and state occasions.

The Home Secretary's duties and responsibilities comprehend the maintenance of the internal peace of the United Kingdom, the security of the laws, and the general supervision of matters relating to the administration of criminal justice.

The Secretary for Foreign Affairs has the exclusive charge of the interests of the British empire and British subjects in foreign countries. He negotiates all treaties, leagues, and alliances with foreign states, either directly with the foreign ministers at this court, or through the British ambassadors abroad; and is the official organ and responsible adviser of the crown in

all communications between his government and foreign powers.

The *Colonial Secretary* has under his control all matters connected with the government of our extensive colonial possessions.

The *Secretary for War* has the general control and direction of the army, in which he is assisted by the commander-in-chief.

The *Secretary of State for India* has the control of all matters connected with that portion of our empire.

SECULAR, *sek'-ul-ar* (Lat. *secularis*; from *seculum*, an age).—Is used as opposed to spiritual or ecclesiastical, denoting what relates to the affairs of this life. Among the Roman Catholics, secular is applied to such clergy as are not bound by monastic rules, which the regular clergy are.

SECULARISM, *sek'-u-la-rizm*.—Is a system of belief which professes to regard only this present life, and to disregard the future world and all that concerns it. Its capital principles are,—1. That attention to temporal things should take precedence of considerations relating to a future existence; 2. that science is the providence of life, and that spiritual dependency in human affairs may be attended with material destruction; 3. that there exist, independently of scriptural religion, guarantees of morality in human nature, intelligence, and utility.

SECULARIZATION.—Is the act of rendering secular, or appropriating to secular uses, the property of the clergy. In most European countries such appropriations have taken place. In England, the great secularization took place in the reign of Henry VIII. In Germany, the first great secularization took place in 1648, on the occasion of the peace of Westphalia; the second in 1801, after the peace of Lunéville.

SEDITION, *se-dish'-un* (Lat. *seditio*, a tumult or insurrection).—In Law, is a general term, understood to comprise within its meaning all offences against the crown and the government which are not capital and do not amount to the crime of treason. Thus, where there is no actual design against the queen or the government in contemplation, a charge of sedition, or of speaking, writing, or doing anything seditiously, will not amount to a charge of treason. It includes all offences of the like tendency with treason, but without any such direct intent or overt act of the party formed or executed, so as to bring it within the more serious offence. By the civil law, sedition was ranked as treason, and in many of our ancient common-law writers, treason is sometimes expressed by this name. The acts 39 (Geo. III. c. 79, and 57 Geo. III. c. 79, were passed to prevent seditious meetings and assemblies, the former of these being more particularly directed against the once famous corresponding societies. (See RIOT.)

SEDUCTION, *se-duk'-shun*.—In Law, is the act of fraudulently violating an unmarried woman's chastity. (See RAPE.)

SEE, *see* (Lat., *sedes*, a seat).—Denotes the seat of episcopal dignity and jurisdiction, where the bishop has his throne or cathedra, or his diocese.

SEER, *se'-er*.—A name given to one who sees into the future. (See PROPHECY.)

SEISIN, *se'-zin* (Fr., *seisine*; Lat., *seisina*).—In Law, is a right to lands and tenements. In common law, seisin signifies possession; as to seize is to take possession of a thing. Seisin is

properly applied to estate of freehold only, so that a man is said to be seised of an estate of inheritance, but to be possessed of a chattel interest. There is a seisin in deed, or in fact, when an actual possession is taken, and a seisin in law where the lands have descended to a person, but he has not yet actually taken possession of them. Seisin in deed is obtained by actually entering into the lands. (See FEOFFMENT.)

SEMI-PELAGIANISM.—In Theology, a form of doctrine very much akin to that of the Pelagians, but differing on some important points as to the power of the human will. It is often confounded with the Molinistic doctrine, but there is an essential difference as to the belief for the necessity of grace for all supernatural acts, even for the commencement of conversion, which the latter hold. (See MOLINISTS, PELAGIANS.)

SENATE, *sen'-at* (Lat., *senatus*, an assembly of elders).—The name originally applied to the deliberative assembly of the Roman people; but the term has since been given to very different powers and constitutions in different countries. In the Greek republics, as well as among the Romans, the number of senators was regulated by the number of tribes into which the state was divided. Accordingly, whilst Attica was divided into four tribes, the number of senators was 400; and when the number of tribes was increased to ten, the number of senators was also enlarged to 500.

The Roman Senate.—During the primitive days of the city, it participated in the judicial and executive powers of the king, and even in the management of military affairs. Romulus was said to have originated the senate; but in doing this, he only imitated all the civilized nations dwelling on the shores of the Mediterranean, who all deemed it necessary to have an assembly of the elder citizens of the state, besides a popular assembly. Under Tarquinius Priscus, the number of senators was increased to 300, each of the 300 houses (*gentes*), which composed the three tribes, having its *decurio*, or representative head, in the Senate. Subsequently, the election of the senators was made by the censor reading aloud once in every lustrum (five years) the names of the senators, the worthiest first, the one first name being styled *princeps senatus*. Those who were deemed unworthy of the dignity were degraded by the omission of their names. The senators were chiefly drawn from the ranks of the equestrian order. In the days of the republic, a senator was required to possess property to the value of about £4,500 and in the days of Augustus of about £6,500. The Senate was assembled by the supreme officers of government, deciding the propositions laid before it, article by article, by a majority of voices. A decree of the senate was called *senatus consultum*. If the decree was opposed by the tribune, or if the Senate was not full, the act was termed *senatus auctoritas*, and was submitted to the people, whose tribunes could reject every proposition by their vote. The Senate had within its jurisdiction all matters of public administration, questions of peace or war, the choice of public officers, and the financial concerns of the republic. Under the Empire, the Senate gradually lost its political consideration, but until the time of Constantine the Great many of its decrees took the place of the laws enacted by the people. In the end, it became so submissive to the will of the emperor, that it often decided upon the propositions of the ruler, without deliberation and with acclamation.

The French Senate came into existence after the revolution of the 18th Brumaire, which placed Bonaparte at the head of the country. He drew up a fresh constitution, which besides three consuls, of which he was the first, the tribunate and the legislative body, established a conservative senate, consisting of eighty members of at least forty years old. Each senator had a yearly allowance of 25,000 francs, afterwards increased to 36,000. This body soon came to be a mere tool in the hands of Bonaparte for the conversion of

the government into an empire. Under the Empire, the French senate was composed of the imperial princes, and dignitaries of the empire, and 136 members. The new constitution, granted by Louis XVIII. in 1814 substituted a hereditary chamber of peers for the imperial senate. It was, however, re-established by Napoleon III. on 14th January 1852, but again abolished when the Republic was established in 1870, after the defeat of Napoleon by the Germans at Sedan. Its re-establishment was proposed in 1873, and on 22nd February 1875 was voted in the National Assembly by 420 to 250. It consists of 300 members, 225 elected by the departments, and 75 (for life) by the National Assembly.

The Senate of the United States.—The senate is the higher branch or house of the legislature; it is composed of two senators for each state of the federation, chosen for a term of six years. The presiding officer is the "vice-president of the United States."

In the University of Cambridge.—The senate is equivalent to the convocation at Oxford, and consist of all masters of arts, and higher graduates, being masters of arts, who have each a voice in every public measure; as in the election of members of parliament in granting decrees, electing a chancellor, &c.

In the Scotch Universities.—The senate is composed of the principal and professors

SENESCHAL, *sen'-es-shawl*.—An official who had the superintendence of the household of the Frankish kings.

SENSATIONALISM, or SENSUALISM, *sen-su'-shun al-izm*.—In Philosophy, is a term applied to those systems which either directly or indirectly deduce all our knowledge from sensation, or from the experience which sense affords. The 18th century was particularly rich in sensational philosophers, the principal of whom were Condillac in France, and Hartley and Darwin in this country. Condillac, in his celebrated work, "Traité des Sensations" (1754), attempts to show that "all our knowledge and all our faculties are derived from the senses, or, to speak more accurately, from sensations." He was a professed follower of Locke and imagined that he was only following out his principles to their legitimate consequences. Though Locke, indeed, does not sufficiently distinguish between sensation and reflection as separate sources of ideas, yet he clearly recognizes the two as being perfectly distinct. The opposite of sensationalism is intellectualism or idealism.

SENTENCE, *sen'-tens*.—In Law, is the decree or judgment of a court in a cause or criminal proceeding.

SEPTUAGESIMA SUNDAY, *sep-tu-a-jes-i-ma*.—The third Sunday before Lent, and so called because in round numbers it is the seventeenth day before Easter.

SEPTUAGINT, *sep'-tu-a-jint* (Latin, seventy).—The name given to a Greek translation of the Old Testament, made at Alexandria, for the benefit of those Jews who had lost the use of the Hebrew tongue. It is said to have been made by seventy or seventy-two translators; and hence the name. (See BIBLE.)

SEPULTURE, RITES OF. (See BURIAL.)

SEQUESTRATION, *se-kwes-tra'-shun* (Lat., *sequestratio*).—In Law, is the separating or setting aside of things in controversy from the possession of both the parties that contend for it. It is also a kind of execution for debt, especially in the case of a beneficed clerk, of the profits of the benefice, to be paid over to him that hath judgment till the debt is satisfied. It

issues, in all cases, from the bishop, but may be founded upon proceedings commenced either in his own court or in the temporal courts. The most usual sequestration of a benefice is upon a vacancy, for the gathering up the fruits of the benefice to the use of the next incumbent, the churchwardens being usually appointed by the bishop for that purpose.

Sequestration in Chancery.—"A writ issuing out of the court, directed to four or more commissioners, empowering them to enter into a defendant's real estates, and to sequester into their own hands not only the rents thereof, but also all his goods, chattels and personal estate whatsoever, to keep the same until the defendant has fully answered his contempt." It issues on a contempt of court in failing to perform a decree, to put in an answer, escaping from custody, &c.

Sequestration in Scotch Law.—The process by which the whole of a bankrupt's estate, heritable and movable, is collected and distributed among his creditors. It is granted, on application, to the Court of Session, whence it issues, and is remitted to the sheriff of the county, who, to some extent, fulfils the functions of the English commissioner. It is also a form of process used where two or more persons are disputing respecting the right to a landed estate.

SERAPEUM, *ser-ay'-pe-um*.—A temple in honour of the god Serapis.

SERAPHIM, *ser'-a-fim*.—The plural of seraph; they are mentioned in Isaiah as celestial beings in attendance upon Jehovah, and similar in character to the cherubim. They have six wings, with four of which they cover their face and feet as a sign of reverence. (See CHERUB.)

SERAPIS, or SARAPIS, *ser-ay'-pis*.—An ancient Egyptian god who appears to have been identified with Osiris united with Apis, i.e., Osiris, in the character of a sort of Egyptian Pluto. Serapis is a Greek name, and the god was introduced into Egypt from Sinope.

SERF, *serf* (Lat., *servus*).—The name given in France to those persons who, in the dark ages, were in the lowest condition of slavery. They were attached to the soil, and transferable along with it. Their emancipation was extremely gradual, commencing about the time of the Crusades, and not fully accomplished till the time of the Revolution. Russia was the only country in Europe where this species of bondage existed. A decree was, however, passed in 1861 for their emancipation in two years.

SERGEANT, *sur'-jant* (Fr., *sergent*).—Formerly an officer in England, nearly answering to the more modern bailiff of the hundred; also an officer whose duty was to attend on the king, and on the lord high steward in court, or arrest traitors and other offenders.

In Military Affairs.—A sergeant is a non-commissioned officer, who instructs recruits in discipline, forms the ranks, &c. Thus there are the *armourer sergeant*, *drill sergeant*, *hospital sergeant*, *quartermaster sergeant*, &c.

Sergeant-at-Arms.—In legislative bodies, an officer who executes the commands of the body, in preserving order and punishing offences.

Sergeant-at-Law.—The highest degree in the common law, through which all must pass before attaining the dignity of judge.

Sergeant-Major.—A non-commissioned officer, who acts as assistant to the adjutant.

Sergeanty.—In England, sergeanty is of two kinds—*grand sergeanty* and *petit sergeanty*. *Grand sergeanty* is a particular kind of knight service or tenure, by which the tenant was bound to do some special or honorary service to the king in person. *Petit sergeanty* was a tenure by which the tenant was bound

to render to the king, annually, some small implement of war.

SERMON, *ser'-mon* (Lat., *sermo*).—A religious discourse pronounced by a divine from the pulpit. (See **PREACHING**.)

SERVANT. (See **MASTER AND SERVANT**.)

SERVICE, *ser'-vis* (Lat., *servitium*).—In Law, is the duty which a tenant, by reason of fee or estate, oweth unto his lord. It is divided into various kinds; as personal and real, free and base, continual or annual, casual and accidental, intrinsic and extrinsic, &c.

SERVITUDE, *ser'-vo-tude* (Lat., *servitus*).—In Civil Law, is the right to the use of a thing, without property in the same, for all or for some particular purposes. It consists either in the right to do some act, as to gather fruit from the estate, or to prevent the owner of the property from doing certain acts; as building walls beyond a certain height, blocking up a window, &c. They were variously distinguished and divided.

SERVITUDE, PENAL. (See **PENAL SERVITUDE**.)

SESSION, *ses'-shun* (Lat. *sedco*, I sit).—In Law, is the period during which any court sits for the transaction of judicial business. The term Session is commonly used to signify the meeting of the justices of a county, or other district having a separate commission of the peace, for carrying out the powers which have been conferred upon them. A meeting of the justices, convened for acting judicially for the whole district comprised within their commission, constitutes a court of general session of the peace; and as these are by statute required to be held once at least in every quarter of the year, they are commonly known as the "Court of Quarter Session" (which see). When a meeting of justices is held for the purpose of transacting magisterial business arising within a particular district or part of a county, it is called a petty session; and if it be convened for some particular or special business, it is called a special session. Borough sessions are courts held in boroughs under the Municipal Corporations Act, resembling quarter sessions in counties. (See **COURTS, BOROUGH**.)

Session, Court of.—A term given to the supreme judicial court of Scotland in all civil matters, being both a court of original jurisdiction and also a court of appeal. It was constituted by an act of the Scottish parliament in 1537, being intended to supply the place of a judicial committee of parliament called the "Lords of session." Since that time it has undergone various changes, and at the union, the House of Lords was constituted a court of appeal against its decisions. Down to 1808, the whole of the judges, 15 in number, sat together in one court; but they were then separated into two chambers,—“First division,” consisting of seven judges, presided over by the lord president, and the “Second division” of six judges, presided over by the lord justice clerk; while the two remaining judges sat as “lords ordinary.” Since that time, the number of the judges has been reduced to thirteen, and the number of lords ordinary increased to five; so that there are now four judges in each of the two divisions. The lords ordinary constitute what is termed the “Outer House;” the others forming the two divisions of the “Inner House.” The Outer House is the court of first instance, whence litigations pass to the Inner as a court of review. Each of the lords ordinary holds a separate court, and before one or other of them an ordinary cause is first brought. The judgment of the lord ordinary may then be taken for review to one of the divisions of the Inner House, where a decision is a decision of the Court of Session. It is practicable, how-

ever, when occasion demands, to have the judgment of the whole court upon a point. Cases are brought from the inferior courts to the Court of Session by a process called “advocation.” In 1815, trial by jury in civil cases was introduced in Scotland, a separate tribunal being established for these cases; but in 1830, the practice of jury trial was united with that of the Court of Session. (See **JUSTICIARY, HIGH COURT OF**.)
Session Kirk. (See **PRESBYTERIANISM**.)

SETHITES, *seth'-ites*.—An obscure sect of Gnostics belonging to the 2nd century, who maintained that Seth re-appeared in the Messiah, and asserted that they had books of which he was the author.

SET-OFF, *set'-off*.—In Law, is the amount of a debt due by the plaintiff to the defendant in a cause which the defendant is entitled to set off, in answer either to the whole or part, as the case may be, of the plaintiff's claim. Thus if the plaintiff sues for ten pounds due on a note of hand, the defendant may set-off nine pounds due to himself for merchandise sold to the plaintiff, and in case he pleads such set-off, must pay the remaining balance into court. The set-off, however, must be a determined and specific sum, for a mere claim for damages not ascertained cannot be set-off against a specific debt, neither can a debt due to the defendant personally be set-off to a demand against him as a trustee.

SETTLEMENT, *set'-tl-ment*.—In Law, in its most general sense, denotes a disposition of property of any kind made by the owner for certain purposes. It may be made either by deed or will; but commonly the term is only applied to those made by deed, and in fact only to a certain kind of these; namely, marriage settlements. Settlement is also the right which an individual acquires to parochial relief in a certain parish or district. (See **POOR LAWS**.) The Act of Settlement in English history is act 12 and 13 Wm. III. c. 2, which settled the succession to the crown, on the death of King William and Queen Anne, without issue, on the Princess Sophia, electress and duchess-dowager of Hanover, being the youngest daughter of Elizabeth, Queen of Bohemia, daughter of James I, and the heirs of her body being Protestants. The duchess died before Queen Anne, and her son, George I., consequently came to the throne.

SEXAGESIMA SUNDAY, *sex-a-jes-i-ma*.—The second Sunday before Lent, and reckoning in round number the sixtieth day before Easter.

SHAFITES, *shay'-fi-ites*.—One of the four principal sects of the orthodox Muslims or Sunnites.

SHAKERS, *shak'-ers*.—A religious sect which originated in a secession from the Quakers, in Lancashire, in 1747, and received their name from the violent shaking of their bodies in religious worship. In their ordinary meetings they often engaged in a regular dance, jumping, turning round rapidly, falling on their knees, and assuming numerous other ridiculous postures. At other times they marched in order round the room in harmony with songs sung on the occasion, shouting and clapping their hands. They had also intervals of shuddering, as if in a fit of ague. They were joined in 1758 by Ann Lee, who subsequently became the leader of the sect, giving herself out to be inspired, and the woman alluded to in Rev. xii. In consequence of persecution, she, and a number of her followers, left

England for New York, where they arrived in 1774. Their numbers rapidly increased, and they formed themselves into communities called "families," each holding property in common. There still exist a considerable number of them in the United States, and a few of them in England; but they have given up the more violent of their exercises.

SHAMANISM, *sham'-an-izm*.—The ancient religion of certain Asiatic tribes. It includes a belief in sorcery, and seeks to propitiate evil demons by frantic gesticulations and sacrifices. The Shamans, however, have neither idols nor altars.

SHECHINAH. (See **SHEKINAH**.)

SHEEP STEALING.—In Law, is felony, and punishable with imprisonment for two years, or penal servitude from three to fourteen years.

SHEIKH, *sheek*.—A name given by the Arabs to the elders or chiefs of their tribes, who are very proud of their long line of noble ancestors. The Mohammedans apply this term to the heads of their monasteries.

SHEKINAH, *she-ki'-na*.—Was the name given by the Jews to the Divine Presence, which rested in the form of a cloud over the mercy seat, or between the cherubim of the ark. The rabbins affirm that it descended on the day of the consecration of the ark by Moses in the wilderness, and afterwards passed into the sanctuary of Solomon's temple on the day of its dedication, continuing there till the destruction of Jerusalem and the temple by the Chaldeans, and not afterwards seen.

SHERIFF, *sher'-if* (Sax., *scyr-gerefa*, reeve or officer of the shire).—Is an officer of very great antiquity in this country, as well as in most other countries in Europe, where he is known by corresponding names.

History.—In Anglo-Saxon times, the *scyr-gerefa* "was the official appointed by the king, whose province it was to carry into execution the judgments of the courts presided over by the cardorman and other high dignitaries, to levy distresses, exact the imposts, contributions, and tithes; he had also the custody of prisoners." (*Laysenbergh*.) They seem, however, to have been frequently, if not generally, chosen by the inhabitants of the several counties, for the statute 23 Edward I. c. 8, which ordains that the people should have the election of sheriffs in every shire where the shrievalty is not of inheritance, is evidently declaratory of a custom. It is very probable, however, that this decision required the royal approbation. By 44 Edward III. c. 7, it is enacted that no sheriff tarry in his bailiwick more than a year, when another shall be ordained on the morrow of All Souls (now of St. Martin), by the chancellor, treasurer, and chief baron of the Exchequer, with the chief justices of either bench, if they be present.

Method of Appointment.—The usual custom now is for the lord chancellor, first lord of the Treasury, and chancellor of the Exchequer, together with all the judges of the three courts of common law, to meet in the Exchequer chamber on the morrow of St. Martin (12th Nov.), the chancellor of the Exchequer presiding, when the judges report the names of three fit persons in each county. These are afterwards reported, if approved of, to the Queen, who then appoints one of them to be sheriff. Where the appointment is legal, and there is no sufficient excuse for not accepting it, it is a misdemeanour to refuse to serve.

The Powers and Duties of a Sheriff are various and extensive, being as a Judge, as the keeper of the king's peace, as a ministerial officer of the superior courts of justice, or as the king's bailiff. In his judicial capacity, he has to hear and determine a variety of civil

causes. As keeper of the peace, he is bound to pursue and take all murderers, traitors, felons, and other in-doors, and commit them to gaol for safe custody; he may apprehend and commit to prison all persons who break the peace, or attempt to break it; and is also to defend his county against any of the king's enemies when they come into the land; for which purposes he may at any time summon the posse *comitatus*, or power of the county (which see). During office, he is the first man in the county, and superior in rank to any nobleman therein. In his ministerial capacity, he is bound to execute many of the writs issuing from the superior courts, and all writs of execution, and he is also responsible for the execution of criminals. As king's bailiff, he has to preserve the rights of the king within his bailiwick; must seize all lands devolving to the crown by escheat or attainder, must levy all fines and forfeitures, must seize and keep all waifs, wrecks, estrays, and the like. To assist him in his duties, the sheriff appoints an undersheriff, by whom, in fact, the duties of the office are principally performed; besides whom he has bailiffs and gaolers.

In Scotland, the sheriff, formerly called sheriff-depute, is an officer whose functions are chiefly of a judicial character. In each county there is, at least, one sheriff court, and in these a large portion of the general litigation of the county is carried on. The immediate business of each court is conducted before a sheriff substitute, who resides within the county, and whose decisions may, in general, be brought before the principal sheriff for revision. The sheriffs principal (with the exception of those of Edinburgh and Lanark) reside in Edinburgh, and carry on ordinary business before the courts there, but cannot act as counsel in any cause coming from their own county. Each is, however, required to hold eight courts in the year in his county. He is appointed by the crown, and in his office *ad vitam aut culpam*, and must be an advocate of at least three years' standing. The sheriff appoints his substitutes, who must be advocates, writers to the signet, solicitors before the supreme courts, or procurators before sheriff courts of at least three years' standing, and approved of by the lord president and lord justice clerk; and, once appointed, they cannot be removed unless with the consent of these judges. No sheriff-substitute can act as law agent, conveyancer, or banker, and he must not be absent from his county more than six weeks in one year, or more than two weeks at a time, unless he obtain the consent of the sheriff. There is no pecuniary limitation to civil cases that may be tried in the court of the sheriff within his own county, but his authority does not extend to questions regarding heritable or real property, or actions which are declaratory of rights. The proceedings in the ordinary sheriff's court are chiefly conducted by written pleadings, and without the aid of a jury; but for the recovery of small debts (under £12), he has a separate court, where the procedure is oral and summary. By railway statutes and other acts, the sheriff is sometimes called upon to empanel a jury to assist him in making valuations, &c. In criminal matters the sheriff has also an extensive jurisdiction, except the four great crimes of murder, rape, robbery, and wilful fire-raising. He tries such criminal cases as it is not thought necessary to bring before the Court of Justiciary, and in important cases he is assisted by a jury. As his authority does not extend beyond his own district, he has not power of transporting or sentencing to penal servitude. Anciently he had the power of passing sentence of death upon conviction before a jury, but this has fallen into disuse. Further, the sheriff is the sovereign's immediate representative within the county, enforcing the decisions of the courts of law generally, and superintending everything done under the authority of what is called the "executive."

SHIBBOLETH, *shiv'-bo-leth* (Heb., an ear of corn).—The word by which the Gileadites tested the Ephraimites after the battle narrated in Judges xii. The latter, being unable to sound the aspirate, called it *shibboleth*, and were thus detected. The term is now sometimes applied to a watchword, or opinions on which all the members of a party are agreed.

SHINTO.—The State religion of Japan, but

Buddha has nearly as many temples and worshippers. The Genesis of the sacred Shinto book, the Nihonki and the Kojiki, describes a Supreme Being, "the Lord of the centre of Heaven," from whence emanated the "Lofty Producer" and the "Divine Producer;" also other creative deities, called "the Male who invites" and the "Female who invites." These produced the elements—the sea, the earth, and principally the islands of Japan. Among their children was Amaterasu, the sun goddess, who is perhaps the predominant Shinto divinity; but the Shinto religion boasts numberless gods, and is really a system of Pantheism, including the worship of ancestors.

SHIRE, *shire* (Sax. *schyran*, to divide).—The name given to districts into which the whole of Great Britain is divided. It was originally a division of the kingdom under the jurisdiction of an earl or count, whose authority was intrusted to the *shire-reeve*, or sheriff, on which officer the government ultimately devolved. (See COUNTY.)

SHROVE TUESDAY, *shrove*.—The Tuesday following Quinquagesima Sunday, and immediately preceding Ash Wednesday, and is called also Confession Tuesday, because the Roman Catholic Church enjoins confession to be made on that day in preparation for the fast of Lent. Although a day of confession, Shrove Tuesday was also formerly a day of sport and pastime, being considered the last day of Christmas, and was celebrated with plays, masques, cock fighting, &c.

Shrove Tide (Anglo-Saxon, *scrifian*, to shrove, to confess).—The days immediately preceding Ash-Wednesday.

SIBYL, *sib'-il*.—Is the name by which several prophetic women were designated, all of whom belong to the mythical ages of ancient history; but the name has also been applied to female soothsayers of historical times.

SIGN MANUAL, *sine man'-u-al*.—Is the royal signature, which is superscribed at the top of royal grants, letters patent, &c. It consists of the name with the initial letter of the title, and sometimes the name also is in initial; as Victoria R., or V.R. It is usually placed at the top left-hand corner of the instrument, the privy signet, or the great seal, as the case may be, being usually necessary to complete its validity. It requires to be countersigned generally by a principal secretary of state, or by the Lords of the Treasury.

SIMONY, *sim'-o-ne*.—In Ecclesiastical affairs, is the corrupt presentation of any one to a benefice for gift, money, or reward: and is so called from Simon Magnus, who, as narrated in the Acts of the Apostles, attempted to purchase the gifts of the holy Spirit with money. Simony, by the canon law, was considered a very grievous offence, being the more odious because accompanied by perjury; for the presentee is sworn to have committed no simony. A statute was passed in the 31st year of Elizabeth, laying down the various ways in which simony may be committed with the penalties annexed thereto; and in the 12th of Queen Anne, another act was passed on the same subject. As the law now stands, it is simony for any person to purchase the next presentation while the church is vacant; it is simony for a spiritual person to purchase for himself the next presentation, although the

church be full; it is simony for any person to purchase a next presentation, or if the purchase be of an advowson, the next presentation by a purchaser would be simoniacal if there is any agreement or arrangement between the parties at the time of the purchase for causing a vacancy to be made. If a person purchase an advowson while the church is vacant, a presentation by the purchaser for that vacancy is simony.

SIN, *sin*.—The evil in human nature, disobedience to the laws and commands of the Almighty, also the moral defect or tendency to pervert good which appears to be inherent in human nature. Sin may, perhaps, be divided into two kinds—(1) that which does right things in a wrong way; (2) the commission of deeds which are absolutely vicious and evil in themselves. We must also point out that, according to ordinary theology, men are not only sinners individually, but are also partakers of a sinful nature. (See ORIGINAL SIN.)

SINECURE, *si'-ne-kure* (Lat., *sine cura*, without care or charge).—An ecclesiastical benefice without cure of souls; as where a rector of a parish has a vicar under him, endowed and charged with the cure, so that he is not obliged either to duty or residence; or when a church has fallen down, and the parish becomes destitute of parishioners. In a more general sense, it is applied to any office with no duties attached to it.

SINKING FUND. (See NATIONAL DEBT.)

SISTERS OF CHARITY.—An institution of females in France, whose business it is to minister to the indigent in sickness and distress. They originated from a noble lady, Louise le Gras, and received the approbation of Clement IX. in 1660.

SIVA, *si'-vah*.—The third deity of the Hindoo triad.

SLANDER, *sland'-er* (Nor., *esclaunder*).—In Law, is the malicious defamation of a man's character by spoken words, as libel is by written words. (See LABEL.) Slander is of two kinds: one which is actionable, as necessarily importing some general damage to the party slandered; the other actionable only when some special damage has been actually caused. The former includes such words as impute to a person crimes or misdemeanours that are legally punishable in a court of law; such as tend to injure him in his profession, trade, or calling, by which he gains his livelihood, as imputing to him malpractice, incompetence, &c.; such as tend to his exclusion from society or to disparage him in an office of public trust. In the other case, the words, though untrue and maliciously spoken, are not in themselves actionable, unless the party aggrieved is able to prove that he has sustained some certain actual loss therefrom. The words require to be maliciously spoken; and hence, if spoken in a friendly manner, or by way of advice, they are not actionable. There are certain kinds of communications which are regarded as privileged, and therefore not actionable; as when a master is called upon to give the character of a servant, or when a man communicates to another circumstances which it is right that he should know in relation to a matter in which they have a mutual interest. If the defendant be able to prove the words to be true, no action will lie for

defamation, whether special damage has ensued or not; for the law holds them to be justifiable.

SLAVERY, *slav'-rr-e* (Dan., *slave*, a slave).—Is that state or condition in which one man becomes the absolute property of another, and may be sold by him like a beast of burden in the market. Repugnant as such a state of things may appear to nature and reason, there can be no doubt that it prevailed to a great extent among all the great nations of antiquity. The Latin name *servus*, which is usually translated servant, properly signifies a slave, and is derived from *servare*, to preserve; the *servi*, or slaves, being such persons as were taken in war, and their lives preserved, on condition of their becoming the absolute property of their masters. In like manner, the Hebrew word in the Old Testament, which in our version is translated servant, properly signifies slave.

History—From the curse which Noah denounced upon Ham and Canaan, immediately after the Deluge, we have reason to believe that the state existed even in antediluvian times. Slavery was authorized by the Jewish law, which lays down many directions as to how slaves are to be treated. Foreign slaves might be obtained by capture, purchase, or by being born in the house; and over these the masters had entire authority to sell, exchange, judge, punish, or even to put them to death. A Hebrew might fall into slavery in various ways. If reduced to poverty, he might sell himself for a slave; a father might sell his children for slaves, or creditors might sell their debtors; but in such cases the slave was not to be treated as a slave, but as a hired servant, and was to be restored to freedom at the year of jubilee. In Egypt, Chaldea, Arabia, and all over the East, slavery existed to a very great extent, and a large traffic in slaves was carried on. Among the Greeks, even as early as the time of Homer, we find slavery a recognized institution; and none of the Greek philosophers seem to have regarded it as other than a regular and natural state of things. Aristotle lays it down that a complete household comprises both slaves and freemen, and defends the institution on the ground of diversity of races; and even Plato, in his perfect state, only desires that no Greeks should be made slaves by Greeks. At Athens, as well as in the other states of Greece, there was a regular slave-market, called the *ekklē*, because the slaves stood round in a circle. The number of slaves in all the Greek states was very great, far exceeding the number of freemen. According to a census made during the archonship of Demetrius Phalereus, there were in Attica 21,000 free citizens, 10,000 strangers, and 400,000 slaves. Even those who doubt the accuracy of those figures admit that there must have been three or four slaves to one of the free population. At Athens, even the poorest citizen had a slave to take care of his household; and Plato remarks that some had fifty, and even more. At Athens, and in Greece generally, slaves are said to have been more humanely treated than in Rome, where they could be tortured, and even put to death, at the discretion of their masters. Afterwards, a spirit of greater humanity began to prevail, and a succession of edicts were enacted by Claudius, Hadrian, and Antoninus Pius, by which the jurisdiction of life and death was taken away from the masters, and referred to the magistrate, and the *ergastula*, or dungeons of cruelty, were abolished. Hume, in his "Essay on the Populousness of Ancient Nations," says that some great men among the Romans possessed to the number of 10,000 slaves; and Mr. Blair, in his "Inquiry into the State of Slavery among the Romans," assigns as many as three slaves to every free person in Italy in the time of the Emperor Claudius. Slaves were not only employed in the usual domestic offices, and in the labours of the field, but also as mechanics, artisans, and in every branch of industry, some of them even filling offices of honour and trust, as factors or agents for their masters in the management of business. The spread of Christianity did much to ameliorate the condition of the slave, though the possession of them was for a long time not regarded as contrary to Christian principles; and down to the age of Theodosius, wealthy

persons continued to keep as many as two or three thousand of them. Justinian did much to promote the ultimate extinction of slavery, but the number of slaves was again increased by the invasion of the barbarians; and finally the slaves became merged in the villains and serfs of the Middle Ages. The personal servitude which grew out of the abuses of the feudal system, and to which the Germans had been accustomed, even in their primitive settlements, was exceedingly grievous, but it is not supposed to have equalled, in severity or degradation, the domestic slavery of the ancients, or among the European colonies on the other side of the Atlantic. The feudal vassal of the lowest order was indeed subjected to the most ignominious services; but in the eye of the law, in England, he was regarded as a vassal only to his own master; to all other persons he was a free man, and he was even protected against excessive injuries at the hands of his master, who might be made answerable at the king's suit. That Africa was free from the blot which stained more advanced countries, even at a very early period, it is impossible to suppose, and is fully confirmed by what glimpses we obtain of its early history. There is no truth, therefore, in the statement that Europeans were the first to introduce that trade; for it has been proved that a great trade in slaves was carried on from the coast of Guinea by the Arabs some hundreds of years before the Portuguese embarked in the traffic. The Portuguese began to transport negroes from their possessions in Africa to Spanish America in 1502. In 1517 the Emperor Charles V. legalized the slave-trade, and granted a patent to certain persons to carry it on. The French under Louis XIII., and the English under Queen Elizabeth, formally permitted this trade. The most important markets for slaves in Africa were Bonny and Calabar, on the coast of Guinea, and they still remain among the principal here the slaves who came from the interior were exchanged for rum, brandy, toys, iron, salt, &c.; and the number of those beings who have been thus torn from their country during three centuries is calculated to amount to above forty millions. The sufferings of the slaves during the passage were horrible, it being estimated that from 15 to 20 per cent perished on it.

Efforts for the Abolition of Slavery.—Almost from the very time that this traffic was established, there were persons who more or less powerfully declared against it; but the honour of having systematically and successfully taken up the cause of the slave belongs emphatically to the Quakers, and the movement began more particularly about 1727. In 1754 the Quakers entirely abolished it among themselves; and in 1772 Granville Sharp obtained a decision of the English judges, in the famous case of the negro Somerset, that a slave as soon as he sets his foot upon English ground becomes free. In 1783, a petition for the abolition of the slave-trade was addressed to Parliament by the Quakers, and supported by Sir Cecil Wray; and in 1787 a society for the suppression of the slave-trade was established in London, and numbered among its members Wilberforce, Sharp, Biddly, and Thomas Clarkson, then a young graduate of Cambridge, to whose enthusiasm and energy the cause is probably more indebted than to the labours of any other man. The subject was again brought before Parliament in 1788, and an order obtained for a committee of the privy council to inquire into it. On the 12th May, 1789, Wilberforce made his first speech in the House on the subject, and was ably supported by Burke, Fox, Granville, and Pitt; but it was not till 1791 that he was able to move for leave to bring in a bill for preventing the further importation of slaves into the West-Indian colonies. After a stormy debate, the motion was lost by 88 to 163. In April, 1792, 370 petitions were received from England and 137 from Scotland, and Wilberforce moved that the trade ought to be abolished. An amendment for its gradual abolition was carried by a large majority, and a few days afterwards the House passed a resolution for its abolition in 1796. This measure was, however, defeated in the House of Lords. Various subsequent attempts were equally unsuccessful, being generally defeated in the House of Commons. At length a bill passed both houses successfully, and received the royal assent on the 25th March, 1807. In 1811 Mr. Brougham introduced a bill, which unanimously passed through both

houses, declaring the trade in slaves to be felony, and punishable with fourteen years' transportation; and an act of 1824 made slave-trading a capital offence, by the name of piracy—in 1837 mitigated to transportation for life. During the agitation against the slave-trade, the abolitionists studiously kept out of view the question of the emancipation of the slaves; but immediately on the passing of the act of 1807, they formed a new association, called the "African Institution," which afterwards became merged in the Anti-Slavery Society. Clarkson renewed his agitation throughout the country; local societies were formed everywhere, and tracts and other publications circulated on behalf of the slave. At length, in March, 1823, Wilberforce presented a petition to Parliament for the extinction of slavery, and soon after, a motion by Mr. Buxton, to the same effect, was defeated by Mr. Canning. From that time various measures were introduced, till at length, in 1833, the ministry was induced to bring forward a measure which was introduced by Mr. Stanley, then secretary for the colonies. After much discussion and considerable opposition, it passed both houses, and obtained the royal assent on the 28th August, 1833. In terms of this act, slavery was to cease throughout the British empire on the 1st August, 1834; slaves, however, of six years old and upwards were required to become "apprenticed labourers" to those who had been their owners in slavery, one class being required to serve for four years, the other for six. Further, the sum of twenty millions was to be raised and distributed as compensation-money among the different slave-owners. On the 1st August, 1834, nearly 800,000 negroes became nominally free; and their average value over eight years being taken in the several places, gave a total of £45,287,738. Several of the colonies declined having to do with apprentices at all, and emancipated their slaves at once. In the spring of 1838 the question of immediate emancipation was agitated, and the colonists forthwith proceeded to carry it into effect, so that by the 1st August, 1838, there was not a slave left in any British colony, except the Mauritius, which followed soon after. The slave-trade is now prohibited by the laws of every European state except Portugal, by which it is still continued within certain geographical limits; and all of them have agreed to enforce the strictest measures in regard to the right of search, and to regard those engaged in the trade as pirates. In the southern states of North America slavery existed until the close of the American Civil War. There slaves were regarded, in many respects, as things or property, rather than persons, and were vendible as personal estate. They were assets in the hands of executors for the payment of debts, and could not be emancipated by will or otherwise to the prejudice of creditors; they could not take property by descent or purchase, and all they found and all they held belonged to their master; they could not make lawful contracts, and they were deprived of civil rights. At present (1883), slavery continues in Egypt, although tribunals have been established to punish cases of slave dealing. A convention was made in 1877, by which the slave-trade was to cease absolutely, before August 4th, 1884.

SMOKE NUISANCE ACT, THE, was passed in 1854, having force above London Bridge. In 1856 another was passed to apply to steamers below London Bridge, and also to potteries and glass houses previously exempted. Since then, enactments have been passed for all the kingdom whereby every furnace employed in working engines, &c., &c., have to consume their own smoke, or the proprietors have to pay a penalty.

SMUGGLING, *smug'ling* (Du., *smokkelln*, to smuggle).—In Law, is the offence of importing or exporting prohibited articles, or articles without paying the duties imposed thereon by the laws of the customs and excise.

Laws against Smuggling.—Under this head, the strictly customs laws comprise various offences not included in the above definition. Thus, smuggled goods comprise "dutiable goods unshipped in the United Kingdom, on which customs or other duties have not been paid or secured; prohibited goods imported into any part of the United Kingdom;

goods clandestinely or illegally removed from any warehouse or other place of security in which they may have been deposited for home consumption or exportation; goods prohibited to be exported put on board any ship, or brought to any quay or other place to be shipped for exportation; goods prohibited to be exported found in any package produced to any officer as containing goods not so prohibited; goods subject to duty or restriction on importation, or prohibited to be imported, found concealed on board any ship or boat within any port of the United Kingdom; goods of the latter class found, either before or after landing, to have been so concealed on board in such port." In all these cases the goods, together with any goods found packed with, or used in concealing them, are liable to forfeiture. Any officer of customs, &c., employed in the prevention of smuggling, may search any person on board ship, or who shall have landed, if he has good reason to suppose that such person has uncustomed, or prohibited goods about him; but before search such person may require to be taken before any justice or the collector, or other principal officer of customs, who shall determine the reasonableness of the cause, and either discharge such person, or order him or her to be searched. Any person just landed from a ship, who, upon being questioned, shall deny having any foreign goods in his possession, and such be afterwards discovered, they shall be forfeited, and the person shall also forfeit thrice the value of the goods. If any persons, to the number of three or more, armed with firearms or other offensive weapons, shall, within the United Kingdom, or any of the ports, harbours, or creeks thereof, be assembled in order to be aiding, or shall aid, in the illegal landing, running, or carrying away of prohibited goods, or goods liable to any duties which have not been paid or received; or in rescuing or taking away such goods after seizure; or in rescuing any person apprehended for any offence made felony by any Act relating to the customs; or in preventing the apprehension of any person guilty of such offence, every person so offending, and every person aiding therein, shall be guilty of felony, and is liable to penal servitude for life, or not less than fifteen years, or to be imprisoned for not exceeding three years. If any person (in company with more than four other persons) be found with any goods liable to forfeiture under any Act relative to the customs or excise; or (in company with one other person within five miles of the coast or of any tidal river) be found carrying offensive arms or weapons, or disguised in any way, he shall be adjudged guilty of felony, and may be sentenced to penal servitude for not more than seven or less than three years. And persons assaulting or obstructing any such officers as above mentioned (or their assistants) in the performance of their duty, by force or violence, are punishable with penal servitude for not more than seven or less than three years, or with imprisonment with hard labour for not more than three years. These and the other enactments bearing upon the subject are principally contained in Act 16 & 17 Vict. c. 107 (commonly called the Customs Consolidation Act, 1853), as amended by 18 & 19 Vict.

SOCIAL CONTRACT, *so'-she-al*.—A term applied by philosophers to a supposed contract, which is the foundation of authority in every government. "Men," says Locke, "being by nature all free, equal, and independent, no one can be put out of his estate and subjected to the political power of another, without his own consent. Whosoever, therefore, out of a state of nature, unite into a community, must be understood to give up all the power necessary to the ends for which they unite in society, to the majority of the community;" "and this is done by merely agreeing to unite into one political society." "This is that, and that only, which did or could give beginning to any lawful government in the world." We have, however, no evidence of any government having been formed in this way; but, on the other hand, we have evidence of not a few having originated without any pretence of a fair consent, or voluntary subjection of the people.

SOCIALISM, *so'-she-al-izm*.—The doctrine taught by an enthusiast named Robert Owen, who proposed to reorganize society by banishing old motives of action, including religion in any of its special forms, and to establish the social edifice on the basis of co-operation and mutual usefulness.

SOCIETY, *so-si'-e-te* (Lat., *socius*, a companion).—A number of persons associated together for some purpose—religious, benevolent, literary, political, &c. (See ASSOCIATION.) When formed for convivial or social purposes, they are commonly denominated clubs. (See CLUB, FRIENDLY SOCIETIES, BUILDING SOCIETIES, ASIATIC SOCIETIES, INSURANCE, &c.)

SOCINIANS, *so-sin'-e-anz*.—A sect of Christians, named after their founder, Faustus Socinus, a native of Sienna, born in 1539, and died in 1604. The Socinians maintain that the Father alone is truly and properly God; that Jesus Christ was a mere man, who had not existence before he was conceived by the Virgin Mary, and that the Holy Ghost is no distinct person. They own that the name of God is given in Scripture to Jesus Christ, but contend that it is only a deputed title, investing him, however, with an absolute sovereignty over all created beings, and rendering him an object of worship to men and angels. They deny the doctrines of satisfaction and imputed righteousness, and regard original sin and predestination as scholastic chimeras. They likewise maintain the sleep of the soul after death, and they say that it will be raised again with the body at the resurrection. In the present day, the term Socinian is commonly applied to such as hold the Unitarian doctrines, which are similar, but not exactly the same. (See UNITARIANISM.)

SOCRATIC PHILOSOPHY, *so-kra'-ik*.—The name given to that system, or rather method of reasoning, which had Socrates for its author (born B.C. 468, died 399). This "Father of Philosophy" did not attempt to evolve any perfect system of doctrine. He wished rather to divert men's minds from the vanity of setting themselves up as philosophers, and make them employ their thoughts in learning and investigating, instead of prematurely commencing at once to expound and instruct, with crude and superficial notions and principles. He saw the errors and defects of the systems around him, and probably also foresaw that the taste for inquiry into truth, which he was ever awakening, must soon lead to the formation of a philosophical literature at Athens. It is common to compare Socrates with Bacon, and there is much in common between the two philosophers; neither of them left behind him any definite system upon specific articles of philosophy; and each rather showed the way to think, than the results of thought. The object of each was not to think for men, but to teach men to think for themselves; and their purposes were alike directed to "utility," to the profitable, as distinguished from the merely formal and the practically inapplicable. The physical theorists of his time were to Socrates what the schoolmen were to Bacon; and hence their paths lay in opposite directions, Bacon conducted science into the world of matter, while Socrates led her into the heart and actions of man. (See BACONIAN PHILOSOPHY.) The labour of Socrates was "directed to the establishment of true moral and religious

principles, in opposition to the false and mischievous principles which he observed were commonly acted upon and avowed in the world. The excellence and supremacy of self-knowledge is what he was ever inculcating; and of self-knowledge, not as a matter of intellectual curiosity, or for its value as a science, but in order to self-government and to happiness." "His first effort, then, was to open the minds of men to a perception of the value of this knowledge and of their own need of it." He did not value particular studies, because they ministered to the necessities or conveniences of human life; hence, he was no utilitarian, in the modern signification of that term. He disparaged physical science and all merely physical knowledge, in comparison with that which was useful for human life. Aristotle informs us, that in the sphere of general philosophy, two discoveries are justly attributed to Socrates—the inductive method of inquiry and the practice of seeking general definitions. There may be some ground for supposing that Plato has improved upon the conversations which he reports of his master; but the Socrates of Xenophon proceeds on the same plan. He is said never to have been weary of investigating. Professing to know nothing himself, he put his questions so as to show the ignorance of others. He proceeded very much as the skilful investigator of nature in the present day does with his experiments, by a strict system of analysis. Having obtained an answer, he proceeds to found on that another question, studiously directed to elicit the answer which might serve for further inquiry; and so on, until he had reduced the first proposition to some simple elements, clearly showing its truth or falsehood. "He, far beyond all I ever knew," says Xenophon, "when he spoke carried conviction to his hearers. Vast as nature, all minds could find their systems in him; and, accordingly, from his teaching, with new and regulated energies, we find philosophy giving birth to various systems; the most prominent of which are those of Plato and Aristotle.

SOLICITOR, *so-lis'-e-tor*.—In Law, is the designation of persons admitted to conduct suits, &c., in the court of Chancery, as attorneys in the courts of common law. (See ATTORNEY-AT-LAW.)

Solicitor-General is an officer of the crown, who ranks next to the attorney-general, with whom, indeed, he is associated in conducting the legal business of the crown (See ATTORNEY-GENERAL.) Usually, when the one has been selected from the common law the other is chosen from the equity bar. When the office of attorney-general is vacant, or its holder otherwise engaged, the solicitor-general supplies his place; and when that office is vacant, the solicitor-general almost always succeeds.

SONG OF SOLOMON. (See CANTICLES.)

SOPHISM, *sop'-izm* (Gr., *sophisma*).—In Logic, is a syllogism which contains some fallacy apt to be overlooked at first sight. Most errors are sophisms, but usually the term implies also that the person using it is in some measure conscious, and endeavours to conceal it by subtlety. It is so constructed as to seem to warrant the conclusion, but does not, and is faulty either in form or argument.

SOPHISTS, *sop'-ists* (Gr., *sophistes*, from *sophia*, wisdom).—The name given to a class of philosophers who arose in ancient Greece about the 5th century B.C. They went about discours-

ing and debating, and taught for hire the youth of rich and noble families. Hence they came to be regarded as pursuing philosophy more for the sake of gain than from any proper love of it. They cultivated the various arts of persuasion, and in their attacks upon each other, labouring to expose and lay bare the delusions of appearance, they acquired great dexterity in the use of terms, and frequently attempted to secure victory by the use of specious fallacies. Some of them, indeed, professed to instruct in the art of making all sorts of orations, and how to speak for or against any cause whatever. Hence they were frequently held up to ridicule by Socrates and Plato; but there can be no doubt that their labours were of service in tending to improve the language. "The very circumstance," says Ritter, "that their rules were intended to be subservient to the ends of fallacy and deception, must have afforded a stronger motive to the philosophical spirit to bring under investigation the true forms of thought and expression which had been neglected by earlier philosophers; and, accordingly, we find that they occupied much of the attention of Socrates." The most distinguished of the Sophists were Protagoras of Abdera, Hippias of Elis, Gorgias of Leontium, Prodicus of Ceos, and Erithydemus of Chios.

SOUL, *soul* (Gr., *psyche*; Lat., *anima*).—In Philosophy, is applied to the inner or spiritual principle of man. According to Aristotle, the soul is that by which we live, feel, will, move, and understand. Among modern philosophers in Germany, a distinction is made between soul (*Seele*) and spirit (*Geist*), the former being the inferior part of our nature, that which shows itself in the phenomena of dreaming, and is connected with the brain; the latter, that part of our nature which tends to the purely rational, the lofty, and divine. There is believed to be evidence for this distinction in Scripture, where the apostle Paul speaks of the Word of God as dividing asunder the soul and spirit—the former being regarded as the sentient or animal principle in our being, the latter the rational. This twofold division of man's inner nature was common among the ancient Greek philosophers, the soul being regarded as the principle of life, the spirit the principle of intelligence. When, however, it is unnecessary to make a distinction between the two, the term soul is used for both.

SOULS, CURE OF.—A technical term by which the canon law describes the charge of a pastor over the spiritual concerns of a flock.

SPEAKER. (See PARLIAMENT.)

STATISTICS, *sta-tis-tiks*.—Derived from the German *Staat*, a state or body of men existing together in social union, and is that department of political science which is concerned in collecting and arranging facts illustrative of the condition and resources of a state. We cannot by *a priori* reasoning discover the laws which regulate the complex fabric of human society. In order to this, we must proceed by induction from well-ascertained facts; and hence the value of that science which takes upon itself the collection and arrangement of facts from which these laws may be deduced. To reason upon such facts, and to draw conclusions from them, is the business of the statesman and political economist.

Value of Statistics.—The statesman learns from them those principles on which the well-being and happiness

of the people depend; the political economist, those laws that regulate the production and distribution of wealth. But while the statist collects materials for the politician and political economist, he must from them learn in what directions to pursue his investigations, and how to arrange his facts so as to bring out the truths which they are calculated to convey. Facts collected in ignorance of the manner in which they are to be applied, or of the principles which they tend to illustrate, are in most cases of little value. On the other hand, the labours of the historian and geographer are of the utmost importance to the statist, for it is his business to take up and show the practical bearings of the facts of history and geography on the condition of man. Thus while history narrates the long series of occurrences that are to be found in the annals of a country, statistics only deals with those of them that may have contributed to form the character and fix the social and political condition of the people. The historian, too, usually travels over an extended period, while the statist brings his facts to bear upon a particular time. Hence it has been said that "Statistics is history at a stand; history, statistics in a state of progression." With geography the science of statistics is still more intimately connected; for the physical features of a country, its climate and productions, its mountains, valleys, plains, &c., exert an important influence in determining the condition of the people. But, indeed, every science that bears upon the condition of man enters more or less into the science of statistics, and, on the other hand, derives valuable aid from it. Law, medicine, chemistry, botany, zoology, geology, meteorology, ethnology, anthropology, &c., all contribute facts that are of value in statistics. Numbers constitute an important part of the science of statistics, being that which gives precision and accuracy to its statements, and without which it would be little else than a mass of generalities and uncertainties. But to limit the science, as some do, to such facts as may be reduced to numerical calculation and exhibited in tables, is to deprive it of all that is most interesting and instructive, and to render it of little practical value. Figures are the mere dry bones of statistics, which require to be systematically arranged and explained, and the principles which they illustrate pointed out, before they can be of real value. It is by being thus restricted that statistics has been so frequently made the means of promulgating or upholding gross errors, and brought into disrepute. When every one is left to explain or arrange figures in his own way, there is scarcely a theory, however wild, or an error, however palpable, to which an ignorant or designing person may not by means of them give an air of truth. Statistics, like every other science, has its principles, which require to be known, and in accordance with which its facts are to be expounded. The first duty of the statist is to ascertain what reliance is to be placed upon the facts or figures which are to form the basis of inquiry. There is no more frequent cause of error than that of regarding as complete what is only a partial statement of facts. His next duty is to arrange them so as to find out what inferences may be legitimately drawn from them, and by a careful analysis and comparison of the facts, attempt to ascertain the nature and force of the various laws that have been acting upon them, bearing in mind that every one of the social phenomena is not the result of one only, but of a multitude of causes, and "amounts precisely to the sum of the effects of the causes taken singly." But while we cannot know all the causes that have been at work in producing a certain result, there are certain of them that are readily recognizable, and it is to these that the statist principally directs his attention. Having, for instance, ascertained the average duration of human life in a country at a particular time, he arranges the figures by which that result has been obtained according to the circumstances that tend more immediately to shorten or prolong life, and thus ascertains how far each of them affects the general result. In dealing with large numbers, too, an important principle comes into play, which gives precision and accuracy to his investigations: namely, that the influence of minor disturbing causes diminishes as the area of investigation increases, until we are justified in disregarding them altogether. It is upon this principle that insurance companies are based. On the other hand, when deal-

ing with small numbers, some of the disturbing causes will always be found in excess, and will greatly affect the result when many times multiplied. This is the case, for instance, in attempting to estimate the production, &c., of a whole country from that of a small portion of it. In the comparison of similar facts under different circumstances, as of different countries at the same time, or of the same country at different times, the greatest care is required in taking into account the various conditions. As the astronomer by finding a discrepancy between his calculations and observations is led to conclude the existence of some undiscovered disturbing cause, so the statistic, in comparing facts of a similar nature, and after making allowance for difference of circumstances, if he finds a marked disagreement still to exist, may readily infer the existence of other causes of which he is yet ignorant. Among the errors frequently fallen into is that of attributing a social fact to one only of its many antecedents, without any process of elimination or comparison. The confounding of cause and effect, and the considering of two circumstances as cause and effect, which are both the result of common causes, are also frequent sources of error. Many persons also err in drawing conclusions from one state of society, and applying them to others in which many of the elements are not the same. The value of statistics is now beginning to be appreciated in this country, though we are still, in this respect, far behind some of the continental countries.

Statistical Societies.—In 1832, a statistical department was established in connection with the Board of Trade, for the collection and publication of statistical information respecting our own and other countries. In 1833, the statistical section of the British Association for the Advancement of Science was formed, and in 1834, the London Statistical Society was founded; both of which have done much in the way of collecting and collating important statistical information, and of diffusing a knowledge of the principles and value of the science.

STATUTE, *statut-um* (Lat., *statuo*, I establish).—An act of Parliament made by the king, by and with the advice and consent of the Lords and Commons in Parliament assembled, and thus made part of the *leges scriptæ*, or written laws of the kingdom. Statutes are either public or private—the former a universal rule that regards the whole community, the latter only affecting particular persons or private concerns. (See PARLIAMENT.) Of private acts, some are local, as affecting only particular places; others personal, as confined to particular persons. Statutes are also sometimes described as declaratory, or penal, or remedial, according to the different nature of their object or provisions. A statute begins to operate from the time when it receives the royal assent, unless some other time be specified. Statutes are to be construed, not according to their mere letter, but the intent and object with which they were made. It is also an established rule that remedial statutes are to be more liberally, and penal more strictly, construed. The statutes of each session are numbered consecutively as chapters of one volume or collection, and each is divided into sections. Each volume is distinguished by the number of the year of the reign of the sovereign. Thus, 24 & 25 Vict. c. 18, s. 4, is the fourth section of the 18th act of the session held in the 24th to 25th year of the reign of her majesty Queen Victoria. Much inconvenience is felt from the great number of statutes that may be in force at the same time respecting the same subject, and of late years much has been done in the way of consolidating into one act all the previous statutes bearing on a particular subject.

STEWARD, LORD HIGH, OF ENGLAND, *steward* (Ang.-Nor.).—One of the ancient

great officers of state. It was an hereditary office under the Norman kings, and passed from Hugh Grentinesnil, who held the office during the reign of Henry II., through different hands, until it reached the second Simon de Montfort, who was slain at the battle of Evesham, in 1265. Thereupon the high office reverted to the crown, but was at once granted by Henry to his third son, Edmund, whose descendants, the earls of Lancaster and Leicester, held it till the accession to the crown of Henry, Duke of Lancaster, as Henry IV., upon which it was absorbed into the regal dignity. Since that period, the high dignity has never been invested upon any person, except upon some special occasion, and then only while certain business is being transacted.

Steward, Lord High, of Scotland is also an ancient hereditary office. It was conferred by David I., early in the 12th century, on Walter, Lord of Oswestry, whose family soon assumed the title as a surname, when it became the origin of the Stewart or Stuart dynasty. In 1469, by act of the Scottish Parliament, the title and estates became the appanage of the king's eldest son, it now, therefore, belongs to the Prince of Wales.

Steward, Court of Lord High.—In former times the lord high steward of England was an officer who had the supervision and regulation, next under the king, of all affairs of the realm, both civil and military. Since the time of Henry IV. no person has been invested with this high dignity as an heritable possession, but only for some special occasion, the office to cease when the business which required it was ended, and this occasion has usually been to try some person before the House of Peers. Before this court of the lord high steward, a peer may be impeached for treason, felony, misprision of treason, and misprision of felony; but a commoner only for high misdemeanours, and not for any capital offence. The lords are summoned to appear, and a majority of twelve or more is decisive. The spiritual lords can be present, but they are not allowed to vote. It has been the practice of late years to appoint the lord chancellor high steward on these occasions. The peers having assembled, his commission is read, and a white rod, his emblem of office, is put into his hands with great ceremony; and then, in his grace, for so he is then styled, takes the seat allotted for him as lord high steward, and proceeds to the trial of the person or persons before him. When the trial is over, his grace breaks the rod, which ends the commission.

STOICS, *stoîks*.—In the name of a philosophical sect of ancient Greece, so called from *stoa*, a porch in Athens, where the founder of the sect, Zeno, expounded his doctrines (B.C. 300). Alarmed at the scepticism which seemed inevitably following speculations of a metaphysical kind, Zeno, like Epicurus, fixed his thoughts principally upon morals. His philosophy boasted of being eminently practical, and connected with the daily duties of life. The aim of man's existence is to be virtuous, and virtue consists not in a life of contemplation but of action. The Stoics of ancient times had to do battle with the sceptics of their time, very much as the Scotch philosophers of common sense had to oppose the scepticism of Hume. They, too, took their stand upon common sense, and showed that reason was unable to distinguish between appearance and certainty. Sense, they maintained, furnished all the materials of our knowledge, and by reason these materials were fashioned. Nature they regarded as composed of two elements,—the primordial matter from which things are formed, and the active principle by which they are formed; i.e., Reason, Destiny, God. As reason was the great moving power in the outer world, to live conformably with reason, or to live harmoniously with nature, was, with them, the great law in morals. Hence the pleasures and pains of the

body are to be despised as unworthy to occupy the attention of man. To be above pain they thought to be manly; and hence they despised pain, and despised death. Stoicism as a reaction against effeminacy may be applauded; but as a doctrine it is one-sided and false. Apathy, which by them was considered as the highest condition of humanity, is, in truth, its lowest.

STRIKES, strikes.—In Political Economy, are a means adopted by workmen, in order to obtain higher wages or some amelioration in their working circumstances, and in which they leave their work in a body and refuse to resume it until their demands are complied with. Such proceedings are always attended with great hardships, and usually give rise to much bad feeling on both sides. The object of the workmen evidently is to force their masters into compliance by taking advantage of their necessity to have the work carried on or completed, and the knowledge of this naturally makes the masters the more inclined to resist. Perhaps, however, the chief objection to strikes is the all but impossibility of their being carried out without a system of tyranny being maintained towards a number even of those who are parties to it. A strike without unity among a number of workmen is a failure; and to obtain this, usually a number of persons are forced into it most unwillingly, while, as is often the case, when workmen are brought from a distance, these are subjected to the most wanton outrages and cruel treatment. We notice these objections the more readily, because, apart from them, we consider strikes to be perfectly fair, as they are quite legal. We can see no reason why any man, or any body of men, should be compelled to sell their labour, that which is most particularly their own, at what they consider a disadvantage. Capitalists may form themselves into combinations or companies, taking their measures in common, and why not workmen? Indeed the taking advantage of the circumstances of workmen as a means of oppressing them, which is too often done, is most iniquitous and unjust. Besides, masters are very likely to disregard the claims of one or a few workmen; and hence it is only by a number of them combining and acting simultaneously, that their demands are likely to be listened to. Formerly, very severe laws were in force against strikes or combinations of workmen to raise their wages or against their reduction; but these have all been swept away by 5 Geo. IV. c. 95, and 6 Geo. IV. c. 129. Now, therefore, combinations among workmen to raise wages or to limit the hours of labour are perfectly legal, if unaccompanied by threats or violence; but any attempts at intimidation or preventing masters from employing other workmen, or other workmen from taking employment at any wages they please, are illegal. In strikes, the workmen always suffer more than their masters; and the privations to which they voluntarily expose themselves "form a strong presumption that they are honestly impressed with a conviction that the advance of wages which they claim is fair and reasonable, and that the strike has been forced upon them by the improper resistance of the masters. Hence the great advantages that arise in referring such disputes to arbitration, which in some recent cases has been done with remarkably good effect.

SUICIDE, sui-cide (Lat., suicidium).—Self-murder. (See Felo-de-se, Homicide.)

SUIT, *suet* (Fr., *suite*).—Denotes a set or number of things corresponding one to the other, or one following or coming after another, and is used in various senses.

Suit, in Law—It is used in the same sense as action, and is divided into real and personal. Suit of court is an attendance which the tenant owes to the court of his lord. Suit covenant is when a man hath covenanted to do suit in the lord's court. Suit custom is where a person and his ancestors owe suit time out of mind. Suit is also used for a petition made to the king or any great personage; and is likewise the following one in chase, as fresh suit, suit of the king's peace, i.e., the pursuing a man for the breach of the peace.

SUMMER, *sum'-mer* (Fr., *sommier*).—That season of the year comprising the months of June, July, and August, during which time the sun, being north of the equator, shines more directly upon this part of the world, making the days longer, and rendering this the hottest period of the year.

SUMMONS, or WRIT OF SUMMONS, *sum'-mons*.—In Law, is a writ issued in the queen's name out of the court in which an action is to be brought, directed to the intended defendant, described as of the county and place where he is supposed to reside or be, commanding him to appear, or to cause appearance to be made for him, in that court, in an action at the suit of the plaintiff, within eight days after the said writ shall be served upon him. It remains in force for six calendar months, at any time before the expiration of which, if it has not been served, it may be renewed for a similar period; and such renewal may be repeated as often as there may be occasion, being effected merely by having a stamp impressed upon it by the proper officer. The service requires to be a personal one, by leaving a copy of it with the defendant in person; but if this be found to be impracticable, then the plaintiff is entitled to apply to the court out of which the writ issued, or to a judge, for an order to be at liberty to proceed as if personal service had been effected, which order the court or judge is empowered to make, on being satisfied that reasonable efforts have been made to effect personal service. If such order has been obtained, or personal service effected, and no appearance made for the defendant, then, if the writ bears a special indorsement of particulars, as in a claim for a debt, the plaintiff is forthwith entitled to sign final judgment.

SUNDAY. (See LORD'S DAY, SABBATH.)

SUPPLY. (See DEMAND AND SUPPLY.)

SURETY, *shure'-te* (Fr., *sureté*).—Is one who undertakes to be answerable for the acts or non-acts of another, who is called the principal. Such undertaking requires to be in writing, and it may either be by bond or by simple writing. Where a surety has had to pay the sum in which he became bound, it may be recovered against the principal; and where there are several sureties, and one of them has paid the entire sum, he is entitled to come against his co-sureties for their shares.

Surety of the Peace and of Good Behaviour.—Is the acknowledging of a recognizance or bond to the queen, taken by a competent judge of record for keeping the peace; and every justice of the peace may take and command this by a twofold authority:—1. as a minister commanded thereto by a higher authority, as when a writ of *supplicavit*, directed out of the Chancery or Queen's Bench, is delivered to him; 2. as a judge, and by virtue of his office derived from his commission.

Any private person, if he has "just cause to fear that another will burn his house, or do him a corporal injury, by killing, imprisoning, or beating him, or that he will procure others to do so," may demand surety of the peace against such person; and every justice of the peace is bound to grant it if he make oath to that effect, and show that he has just cause so to fear. If the party so accused does not find such sureties, he may be committed to prison until he does, but not for a longer period than twelve months.

SUTTEE, *sut-tec'*.—In the Sanscrit or sacred language of the Hindoos, a female deity, but in Hindostan it ordinarily signifies the act of a widow, who voluntarily burns herself on her deceased husband's funeral pile, or the widow who thus immolates herself. The word is also used by the Brahmins for various rites of religious purification.

SWEDENBORGIANS, OR NEW JERUSALEM CHURCH. *swe-den-bor'-je-anz*.—The name of a sect of Christians, called after their founder, Emanuel Swedenborg, born at Stockholm, in 1688. The earlier period of his career was devoted to physical and mathematical studies, particularly mineralogy, in which he acquired great distinction, not only at home, but also in foreign countries. Indeed, the origin of many subsequent discoveries is attributed to his investigations. His first spiritual manifestation is referred to the year 1745, when he obtained a glimpse of the unseen world, and was enabled to converse with spirits and angels. From that time he relinquished his scientific pursuits, and began to print and publish various unknown *arcana*, which he says "have been either seen by me or revealed to me," concerning heaven and hell, the state of men after death, the true worship of God, the spiritual sense of the Scriptures, and many other important truths tending to salvation and true wisdom." His works are numerous, and contain many singular revelations. He died in London, 1772, but the idea of founding a sect never seems to have occurred to him, and he left no instructions as to its formation, or rules for its guidance.

History.—Among the first disciples to the new faith were two clergymen of the Church of England; and in December, 1783, an advertisement brought five persons together for reading and conversation. In 1787, the number had increased to thirty, and the formation of a definite religious society was commenced. In 1799 there were 70 churches; but it is asserted that besides these, numbers hold their doctrines, but remain in connection with other churches. The principal societies for disseminating their views are the

Swedenborg Printing Society, established in 1810, and the Missionary Tract Society, established in 1821. Their mode of worship resembles in general that of most other Christian bodies, and the sacraments of baptism and the Lord's Supper are administered. Among the main tenets of this body are, that the last judgment has already been accomplished; namely, in 1757, that the former heaven and earth are passed away; that the New Jerusalem, mentioned in the Apocalypse, has already descended in the form of the "New Church;" and that consequently the second advent of the Lord has even now been realized in a spiritual sense, by the exhibition of his power and glory in the New Church thus established. They believe that the Father, Son, and Holy Spirit are one in the person of Christ, comparatively as soul, body, and proceeding operation are one in each individual man. The doctrines of justification and imputed righteousness are rejected, salvation being obtainable only by a combination of faith and good works. They believe in a kind of purgatory for the purification of the spirit, and that the resurrection will not be of the material body, but of a spiritual body.

SYLLABUS, *sil'-la-bus* (Gr., *syllabos*, a collection).—The name given to a list of eighty propositions condemned as erroneous by Pope Pius IX., and sent by his order to the Roman Catholic hierarchy in December, 1854. Their publication in France was forbidden by the Government, but some of the bishops read them from the pulpit, and were consequently prosecuted.

SYLLOGISM, *sil'-lo-jizm*.—In Logic, a form of reasoning consisting of three propositions—the conclusion, or the matter to be proved, and two others, the premises, that are the means of proving it. The following illustrates the general form of a syllogism, "Man is an animal; I am a man; therefore I am an animal." Logicians, however, make many nice distinctions.

SYMBOLIC BOOKS, *sim-bol'-ik* (Gr., *symbolon*, a sign or mark).—In Ecclesiastical Language, a phrase equivalent to creeds and confessions.

SYNAGOGUE, *sin'-a-gog* (Gr., *synagoge*).—A congregation, a gathering together, at present understood in special sense of a Jewish congregation; the house appropriated to the religious worship of the Jews; the court of the seventy elders among the Jews, called the great synagogue.

SYNOD, *si'-nod* (Gr., *synodos*).—An ecclesiastical convention or council for consulting on religious matters.

SYNOD OF DORT. (*See* DORT, SYNOD OF.)

T.

TABERNACLE, *tab'-er-nak-l* (Lat., *tabernaculum*, a tent).—The patriarchs are said to have dwelt in tabernacles or tents; but in a stricter sense there were in the camp of Israel under Moses two tabernacles—the tent of the congregation, in which the people assembled for the dispatch of their ordinary secular affairs, and the tabernacle of the Lord, or the tent of testimony, or simply the tabernacle. This last was an oblong square structure, ten cubits in breadth, ten in height, and thirty in length, set up by the express command of God for the performance of religious worship, sacrifices, &c., by the Israelites during their wanderings in the wilderness, and was used by them for the same purpose in the land of Canaan till the building of the temple.

It was divided into two parts—the first called the holy place, in which were the table of shewbread, the golden candlestick, and the golden altar of incense; the other the sanctuary, or holy of holies, in which was the ark of the covenant. Around the tabernacle was a large oblong court, one hundred cubits in length and fifty in breadth, encompassed by pillars overlaid with plates of silver, on which hung curtains of fine linen. This was the "court of the tabernacle."

The Feast of Tabernacles, or of tents, was designed to commemorate the dwelling in tents in the wilderness, and it was also a feast of thanksgiving for the harvest. It was the last of the three great annual feasts which required the presence of all the people at Jerusalem, and it lasted for eight days, from the 15th to the 23rd of the seventh month. During its celebra-

tion the people dwelt in tents or arbours made of the leafy branches of certain trees. It was observed with great demonstrations of joy, and numerous sacrifices were offered up during its continuance.

TABORITES. (See **HUSSITES.**)

TALMUD, *tal'-mud* (Heb., study).—Among the Jews, the collective name of the Mishnah and Gemara, which contain those rules and institutions by which, in addition to the Old Testament, the conduct of that people is regulated. It is in fact the interpretation which the ancient rabbins have affixed to the law of Moses. It is called the traditional or unwritten law, as distinguished from the written law given to Moses. They are, however, both regarded as of the like antiquity, both having been given to Moses on Mount Sinai. The Mishnah constitutes the earlier text of the Talmud, which the Gemara elucidates, by furnishing additional paragraphs with explanatory remarks, furnished by renowned scholars. There are two Talmuds, the Palestinian and the Babylonian, the latter being the principal authority. The Jews set a high value upon the Talmud, generally placing it above the inspired law. The celebrated Maimonides made a digest of all the laws and ordinances contained in the Talmud, in the 12th century. A most valuable article on the Talmud, which should be consulted by all who desire full information on the subject, was contributed by the late Emanuel Deutsch to the *Quarterly Review*, and has been reprinted in his "Literary Remains."

TANISTRY, *ta-nist'-re*.—An old custom in Ireland, by which an equal division of lands, after the decease of the owner, was made among his sons, legitimate or illegitimate. If one of the sons died, his son did not inherit, but a new division was made by the *tanist*, or chief. It was abolished in 1604.

TANTRA, *tan'-tra* (Sanskrit, *tan*, to believe).

The name given to the sacred works of the worshippers of the female energy of the Hindoo deity Siva.

TARGUM, *tar'-gum* (Chal., interpretation or version).—The name given to the Chaldee, or more accurately Aramaic paraphrases or versions of the Old Testament. The origin of these paraphrases is much disputed. During the Babylonish captivity, the Jews had adopted the Chaldee language, and upon their return to their own country they could not understand the language of their sacred books; and hence, when Ezra and the Levites read the law to the people, they were obliged to add an explanation of it in Chaldee. These explanations were afterwards committed to writing, and hence probably originated the Targums. They are rather comments and explanations of the text than literal translations of it, and hence their name. The oldest Targums extant are believed to be at least as early as the time of Christ. At present eleven Targums are known to us. That generally, but with little authority, attributed to Onkelos, on the Pentateuch, is highly valued by the Jews. The author is mentioned in the Babylonian Talmud as a disciple of Hillel, who died 60 B.C. The Targum of Jonathan, the son of Uzziel, contains the Prophets—i.e., Joshua, Judges, Samuel, Kings, Isaiah, Jeremiah, Ezekiel, and the twelve minor prophets. None of the other existing Targums are of much value to Biblical students.

TAXATION, *taks-ai'-shun* (Lat., *taxo*, I esti-

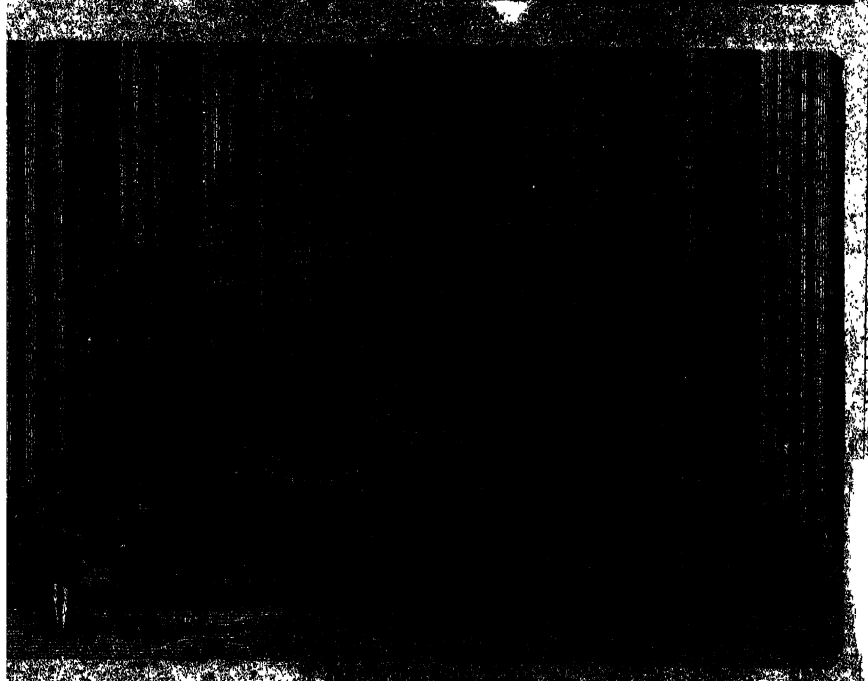
mate, appreciate, value, also charge with).—Taxation is defined to be the taking a portion, or the value of a portion, of the property or labour of individuals, and disposing of it by government. In every system of government taxation is necessary, and every good government will endeavour to make the burden as light or as little felt as possible. In fact, there is, perhaps, no branch of legislation so important as the adoption of wise and just measures in the matter of taxation. Upon this, in no small degree, the wealth, happiness, and even the morals of the people depend. Taxes are either direct or indirect. "A direct tax is one which is demanded from the very persons who it is intended or desired should pay it;" an indirect tax, one which is "demanded from one person in the expectation and intention that he shall indemnify himself at the expense of another," as in the excise or customs. Direct taxes are on income or property, indirect on expenditure. Though most governments have had recourse to direct taxes, indirect taxes have generally been viewed with the greatest favour both by princes and subjects. Being generally paid, in the first instance, by the producers, the purchasers confound them with the natural price of the commodity; and hence their effects are not so readily felt and appreciated. They have also the advantage of being paid by degrees, in small portions, and at the time when the commodities are wanted for consumption. Indirect taxes, however, have the disadvantage that they not only increase the price of the articles by their amount, but also, being advanced by the producers before they are finally paid by the consumers, the former must necessarily have a profit upon them. As the income of individuals must be derived from one or more of the three sources of rent, profit, or wages, all taxes which do not fall upon capitals, must, however imposed, ultimately fall upon one or other of these sources. The assessed taxes of this country now include land tax, house duty, property, and income tax. The Taxes Management Act, 43 and 44 Vict. c. 19, was passed in August, 1880.

TE DEUM, *te de'-um* (Lat., Thee, O God).—The name given to a celebrated hymn, from the first words of the original Latin, *Te Deum laudamus*, Thee, O God, we praise. It has been ascribed to Ambrose and Augustine; but the more probable opinion seems to be that it was composed by Nicetus, bishop of Tiers, in Gaul, who lived in the early part of the 6th century, and is said to have composed it for the use of the Gallican church.

TELEOLOGY, *te-le-ol'-o-je* (Gr., *telos*, end, and *logos*, discourse).—The doctrine of final causes.

TEMPERANCE, *temp'-er-ans* (Lat., *temperantia*, moderation).—That virtue which a man is said to possess who moderates and restrains his sensual appetites; but it is often used in a general sense as synonymous with moderation, and is then applied indiscriminately to all the passions. Temperance is one of the best means of preserving health. Since attention has been so persistently and systematically directed to the pernicious effects of intemperance in the use of alcoholic liquors, the term has come to be frequently used to denote a temperate use of them, and to denote even total abstinence. (See **TEMPERANCE SOCIETIES.**)

TEMPERANCE SOCIETIES.—Institu-



tions established for the purpose of extending the principles of total abstinence from the use of spirituous liquors. (See **TESTOTALLEERS**.) The first modern temperance society was founded in 1789 by 200 farmers of Litchfield, Connecticut, who, to discourage the use of spirituous liquors, determined not to use any distilled liquors in doing their farm work the ensuing season. The first united effort made to check the progress of intemperance was by the formation of an association for that purpose in Massachusetts, North America, which held its first meeting in 1813. Next year, a similar institution was organized in Connecticut, with various branches, and in 1818 the number of these societies was above forty. A new impulse was given to the movement by the formation, at Boston, on a much more extensive plan, of the American Society for the Promotion of Temperance. The number of auxiliary associations very rapidly increased. Temperance societies began to be formed in England and Scotland in 1829-30, and rapidly spread, so that in 1831 there were several hundreds of them in these countries. In 1832, Joseph Livesey, of Preston, originated a "total abstinence" society which exerted great influence. In Ireland, the cause of temperance was advocated with much success by the Rev. Father Mathew, a Roman Catholic clergyman, who affirmed that in three years (1839-41) he had made more than a million of converts to that principle. Of late years, the advocates of total abstinence have much increased, and they now form a large and influential portion of the community, and within the last few years the "Good Templars" and the "Blue Ribbon Army" have been most energetic in their efforts to promote the cause. Many eminent physiologists have given their sanction to the principles of total abstinence; but there still remains something to be said on the other side.

TEMPLARS, KNIGHTS TEMPLARS, or **KNIGHTS OF THE TEMPLE**, *temp' lars*.—A religious order of knights founded in the beginning of the 12th century, for the defence of the holy sepulchre and the protection of Christian pilgrims. It was established in Jerusalem by Baldwin II., who gave the knights a part of his palace, and their rule was confirmed by Honorius II. in 1128. The order soon became very distinguished, and numbers sought to join it from the chief families of all parts of Christendom. Legacies and donations in lands and money were also showered upon it. After the overthrow of the kingdom of Jerusalem, about 1186, they spread themselves over Germany and other countries of Europe, to which they were invited by the liberality of the Christians. They continued to flourish for a time, and acquired great wealth and military renown, which excited the jealousy of other orders and of kings and great nobles; but their vices (probably greatly exaggerated by their enemies) at the same time multiplied, and at length their arrogance, luxury, and cruelty increased to such a length that their privileges were revoked, and their order suppressed with the most terrible circumstances of severity and cruelty. Their destroyer was Philip IV. of France, who came to the throne in 1285, at the age of seventeen. It is said that Pope Clement V. purchased his elevation to the papal chair in 1305, by promising, among other things, to aid the king in the destruction of the Templars. The following year, a series of accusations was brought against the order of all

sorts of immoralities, comprising some of the most absurd charges of heresy, idolatry and infidelity. The year following, secret letters were issued by the king to all of the governors of towns, &c., throughout the kingdom, in consequence of which, on 13th October, 1307, nearly all the Templars in France were in custody, and their houses and goods everywhere seized. In 1308, Clement issued a bull calling upon all Christian princes and prelates to aid him in inquiring into the guilt of the order, and in 1312, the whole order was suppressed by the council of Vienne. Many of the knights were cruelly put to death, some by fire, others languished and died in prison. They originally wore a white habit, with red crosses sewed on the cloaks, as a mark of distinction. At the head of the order was the grand master, elected by the chapter or general body of the knights. The grand master had under him his senechal or lieutenant; and other high military officers were called marshals and bannerets. For purposes of government, there were, in the several countries where the order had possessions, a resident chief, called grand prior, grand preceptor, or provincial master. Under these were the priors, or masters over districts; and under these, preceptors over single houses of the order. Besides the knights there were esquires, servitors, and chaplains. The matter was at length compromised by Pope John XXII., successor of Clement, consenting in 1319 to the existence of the order in Portugal under another name—"the Knights of Christ," and likewise reserving to himself and his successors the right of creating a similar order in the Papal States, of which his successors have availed themselves. The members were originally bound to make the three vows of chastity, poverty, and obedience; but Pope Alexander VI. released them from the two first, on condition that they should apply the third part of their revenues to the building and support of the *Templar cloister*, the priests of which he bound to the three vows. Noble descent and three years' military service against the infidels were necessary to admission. Since 1789, the order consists (besides the grand master and great commander) of six knights of the grand cross, four hundred and fifty commanders, and an unlimited number of knights. Catholics only of noble descent can be admitted to the order. The Papal order of Christ is composed only of one class, and the candidates are not obliged, as in the Portuguese order, to prove their noble descent.

TEMPLE, *temp' l* (Lat., *templum*).—A building dedicated to the service of some deity. The most celebrated temple of ancient or modern times was that of Solomon, at Jerusalem. Very minute details of the construction and furniture of the temple are given in the books of Kings and Chronicles. Divines and architects have repeatedly endeavoured to represent this building, but with no great amount of success. The temple only retained its pristine splendour for forty years, when its treasures were plundered by Shishak, king of Egypt. After undergoing various other profanations and pillages, it was finally destroyed by the Chaldeans under Nebuchadnezzar, B.C. 588; after it had stood for 417 years. It was rebuilt after the return of the Jews from captivity, on the same plan, but with greatly diminished splendour. This building existed for nearly 500 years, when, in order to propitiate the Jews, Herod the Great, shortly before the

birth of Christ, undertook to rebuild it on a larger scale and with greater magnificence. In nine years, during which 80,000 workmen were constantly employed, he succeeded in accomplishing his design. For many years after, however, workmen were employed in extending and beautifying the pile, and it had only been finished for a short time when it, together with the entire city, was involved in one common ruin by the army of Titus, A.D. 70.

TENANT, *ten'-ant* (Lat., *teneo*, I hold).—One who holds lands or tenements of another. According to the feudal system, no land was without a lord, but was held either of a mesne tenant or of the crown. The thing holden was called the tenement, and the mode of holding the tenure. Tenants are thus of various kinds, according to the nature of their estates; as in fee simple, in fee tail, for life, for years, at will, and at sufferance. (See LANDLORD AND TENANT.)

Tenant by the Curtesy. (See CURTESY, TENANT BY THE.)

TEN COMMANDMENTS. (See DECA-LOGUE.)

TENDER, *ten'-der* (Lat., *tendo*).—In a general sense, an offer to perform some act. In Law, it is an offer to pay a debt, or to make pecuniary compensation to a party injured. A tender must be in money, and if above the sum of £40, in gold, or in Bank of England notes, which are legal tender for every sum above £5. A tender, however, of country bank-notes, or a larger amount of silver, if not objected to at the time, is valid. The money must also be produced and shown, or the bag or other thing in which it is contained, otherwise the tender is not valid. The offer must also be absolute, without any conditions; for even the offer, with the request of a receipt, or of a larger amount, with the request of change, is not legal; but the offer of a larger sum absolutely, without a request of change, is good.

TENEMENT, *ten'-e-ment* (Lat., *teneo*, I hold).—In Law, this term, in its largest acceptance, denotes anything that may be holden in the legal sense—viz., all corporeal hereditaments, and incorporeal hereditaments of a permanent nature issuing out of the same, as lands, houses, right of common, franchises, offices, &c. In its more narrow and popular signification, it is applied only to houses and other buildings.

TENTHS, *tenths*.—The tenth part of all yearly benefices, which was anciently paid with the first fruits (which *see*) to the pope. At the Reformation, the tenths were transferred to the crown. By 1 Eliz., the archbishop of Canterbury and the bishop of London were exempted from tenths; as were also, by 6 Anne, c. 24, all benefices under the annual value of £50. Queen Anne gave up the revenue arising from tenths, as well as from first fruits, to the augmentation of poor livings. (See BOUNTY, QUEEN ANNE'S.)

TENURE, *ten'-ure* (Lat., *tenere*, to hold).—The manner of holding lands or tenements of a superior, or the feudal relation which subsists between lord and vassal in respect of these. Blackstone reduces the different kinds of tenure to four: namely (1) Tenure by knight service, which was the most honourable, now abolished; (2) tenure in free socage, or by a certain and determinate service, which may be either free and honourable, or villen and base; (3) tenure

by copy of court-roll, copyhold, or pure villenage; (4) tenure by privileged villenage or ancient demesne. (See FEUDAL SYSTEM.)

TERAPHIM, *ter'-a-fim*.—A word both of singular and plural signification applied to the small images idolatrously worshipped by some of the ancient Hebrews, and also employed for purposes of divination.

TERM, *term* (Gr., *terma*; Lat., *terminus*, a boundary).—The word denotes generally the limit, boundary, or extremity of a thing, or the time for which a thing lasts. The law terms, during which the superior courts of law and equity sit, are Hilary (from 11th to 31st January), Easter (from 15th April to 8th May), Trinity (from 22nd May to 12th June), and Michaelmas (from 2nd to 25th November). The four term days of the year which are appointed for the settling of rents, &c., are Lady-day, 25th March; Midsummer, 24th June; Michaelmas-day, 29th September; and Christmas, 25th December. The Universities have their terms of attendance. (See various headings.)

TERM.—In Logic, act of apprehension expressed in language; also the subject or predicate of a proposition. They are so called because they form the terms or extremes, the subject being first and the predicate last, and the two connected by the copula.

TERROR, REIGN OF, *ter'-ror*.—In French History, that period of the Revolution when the executions were most numerous and the people living in constant terror, in consequence of the ferocious conduct of their governors. It applies more properly to that period between October, 1793, when the revolutionary tribunal first came into permanent action, and the overthrow of Robespierre and his party, in July, 1794.

TERTIARIANS, *ter-she-a'-re-ans*.—Men or women belonging to the third, or lay class, in any one of the monastic orders.

TEST AND CORPORATION ACT, *test*.—The name commonly given to 13 Car. II. c. 2, which provides that all magistrates in corporations should take the oaths of supremacy and abjuration, and should have received the sacrament, according to the forms of the English church, within a year before their election. By 25 Car. II. c. 1, these provisions were extended to all persons who should bear any office or offices, civil or military. These Acts were finally repealed in 1828, by 9 Geo. IV. c. 17.

TESTAMENT, NEW AND OLD. (See BIBLE.)

TESTIMONY. (See EVIDENCE.)

TETRARCH, *te'-trark*.—A title given by the Greeks to the ruler of the fourth part of a country; but the Romans extended the title to petty tributary kings.

TEUTONIC KNIGHTS, *teu-ton'-ik*, or, Knights of the Hospital of St. Mary in Jerusalem.—One of the religious and military orders which originated during the Crusades. The hospital and church from which the order took its name was founded by a German merchant and his wife, for the purpose of affording relief to poor and sick persons of the German nation. A number of distinguished and wealthy persons devoted their property to the purposes of the

institution, and in 1119, bound themselves by monastic vows, with the approbation of Pope Alexius II. In 1192 the members of the body allied themselves with a guild of Hospitallers for German soldiers, and the order was organized by Duke Frederick of Swabia, with the approval of Pope Celestine II. It observed the rule of St. Augustine, and although at first none were admitted to membership but Germans of noble birth, about 1221, half-knights and priest-chaplains were added. The dress was black, with a white mantle, upon which was a black cross with a silver edging. In the 13th century they obtained by conquest extensive territories in central and northern Europe, and became very wealthy and powerful. In 1309, the principal seat of the order was established at Mariburg. During the ensuing two hundred years, its territory extended from the Oder to the Gulf of Finland, and nobles from all parts of Europe allied themselves with it. Then internal dissensions, luxury, and oppressive acts led to a decline in influence, and a conflict with the Polish king hastened it. In 1527, the grand master became a spiritual prince of the German empire. In 1805, the peace of Presburg gave the rights, revenues, and possessions to the Emperor of Austria as grand-master; and in April, 1809, Napoleon abolished the order, and divided the territories among the princes in whose dominions they were. In 1834 it was revived, and re-organized in 1840.

THANKSGIVING DAY.—An annual religious festival observed in the United States on the last Thursday in November. A proclamation appointing the celebration is annually issued by the President.

THEATINES, *the-a-tines*.—An order of regular clerks founded at Rome in 1524 by Gaetano di Tiene (who was afterwards canonized), Bonifaziolo Colle, Giovanna Pietro, Caraffa (afterwards Pope Paul IV.), and Paolo Consigliaria. The intention was to form a society of priests following the rule of apostolic life as set down in the New Testament. The society progressed rapidly, had establishments in most of the European Catholic countries, and founded foreign missions. In 1870 the society was suppressed. There were two communities of Theatine nuns, both now extinct.

THEATRES, LAWS RELATING TO.

—The 6 and 7, Vict. c. 58, enacts that all theatres in the United Kingdom shall be authorized by letters patent, or by licence of the Lord Chamberlain, or by justices of the peace. No new play, or alteration of an old one, to be acted till seven days after a copy has been sent to the Lord Chamberlain for his approval. In London the Metropolitan Board of Works has power, in the interest of the public, to order structural alterations.

THEFT. (See LARCENY.)

THEISM. (See DEISM.)

THEOCRACY, *the-ok'-ra-se* (Gr. *Theos*, God, and *kratoe*, I rule).—A term applied to that form of government established by Moses among the Jews, as being under the direct control of God. Their chief magistrates or judges were appointed under the express direction of Jehovah, and governed under him. When they came, therefore, to demand a king, it was expressly declared to be an act of rebellion against God.

THEODICY, *the-od'-i-se* (Gr., 'the judgment of God').—Any theory which professes to reconcile the attributes of God with the existence of evil, and the present order of things in the world.

"THEOLOGIA GERMANICA," *the-o'-lo'-je-a ger-man'-i-ka*.—A famous German book, written about the 14th century. It is a repudiation of the connection of church and state, and the author is led to seek for God in the temple of the heart. Luther is said to have ranked the work next to the Bible and the writings of St. Augustine.

THEOLOGY, *the-ol'-o-je* (Gr. *theologia*, from *Theos*, God, and *logos*, discourse).—Literally, a discourse concerning God, and it is commonly employed to designate "that science which treats not only of the divine existence and attributes, but also of the relations which subsist between God and his intelligent creatures, the duties which consequently devolve upon the latter, and the arrangements which God has entered into for their government and benefit." Theology stands to religion in the same relation as that in which any other science stands to its subject, being, in fact, the truths of religion arranged in a scientific form. Among the ancient Greeks, *theologia* denoted the philosophy of the divine existences, and included all questions relating to the nature, origin, and service of the gods. The word is not used in the New Testament, but was employed by the earliest Christian writers, who styled the author of the Apocalypse, by way of eminence, the *Theologos*, or Divine, and the doctrine of Christ, *theologia*. Theologian hence came to be applied as a title of honour to one who defended well the doctrine of Christ's divinity or of the Trinity. The first who uses the term in its modern signification was Peter Abelard, who flourished in the early part of the 12th century, and wrote a system of scholastic divinity, to which he gave the name of "Theologia Christiana." Theology, in the form in which it now exists, is comparatively a modern science. Among the Christian fathers we find all the essential dogmas of our faith asserted and defended; but they made few, and these very imperfect efforts, to present them in a complete and systematic form. One division of this subject is into theoretical and practical theology. The former of these includes—(1) Exegetical theology, or the knowledge of the revealed writings, the evidence of their authority, and the explanation of their meaning; (2) Systematic theology, or the investigation, arrangement, and discussion of the truths so revealed; (3) Historical theology, or the workings and changes of religion among those who have professed it. Practical theology, on the other hand, deals with the duties of practical religion, together with the various modes of enforcing them on men. Another division is into—(1) Theology, strictly so called, or a scientific exposition of the nature, attributes, works, and claims of God; (2) Anthropology, or a scientific development of the truths concerning man, especially in his relation to God, and the estrangement between God and him, its nature, extent, source, and consequences; (3) Christology, or what the Scripture unfolds concerning the medium of reconciliation between God and man, especially as respects the person of the Mediator, the nature of his work, and the results of his official constitution and agency; (4) Soteriology, or the doctrine of human redemption.

THEOPHILANTHROPISTS, *the-o-phi-lan-thro-pists* (lovers of God and man).—A sect formed in France in 1795, and headed by Lepaux, one of the five directors. It was dissolved in 1802.

THESAURUS, *the-saw'-rus* (a treasury).—A title given, in the 7th and 8th centuries, to large collections of small events of history and archaeology. Some of them are highly valued by book collectors.

THESIS, *the'-sis* (Gr., position, from *tithemi*, I lay down).—A general proposition which a person advances and offers to maintain. In logic, every proposition may be divided into thesis and hypothesis, the former containing the thing affirmed or denied, the latter the conditions of the affirmation or negation.

THESSALONIANS, EPISTLES OF ST. PAUL TO TITIE, *thes-sa-lo'-ne-ans*.—Two books of the New Testament, the authenticity and canonical authority of which have been admitted from the earliest ages by all who have received any of Paul's epistles. The first epistle was written by the apostle from Corinth, and not from Athens, as the subscription imports, about A.D. 52. Its design was to confirm the Thessalonians in the faith, and to encourage them to a patient and consistent profession of Christianity.

THIRD ESTATE.—In the British constitution, the Commons, the Sovereign and the Lords being the first and second.

THIRTY-NINE ARTICLES. (See ARTICLES, THE THIRTY-NINE.)

THISTLE, ORDER OF THE.—An order of knighthood, dating at least as far back as the time of Robert II., although the badge of the order was never worn until the reign of James III. This order was suppressed by the Reformers, but was re-established during the reign of James II. of England (VII. of Scotland). No amount of merit has ever been able to procure a commoner admission to this order; for although three commoners did once belong to it, their claims were that they were heirs presumptive to dukedoms. The number of Knights is 16, besides the sovereign.

THOMAS' ST., HOSPITAL.—A large and wealthy hospital on the south side of the Thames, opposite the Palace of Westminster. It originated in an almshouse founded in 1213 by the prior of Bermondsey and surrendered, to Henry VIII. in 1538. In 1553, Edward VI. granted a charter of incorporation.

TREATS AND THREATENING LETTERS, *threts, thret'-en-ing* (Ang.-Sax.).—Are a species of injury recognized and punished by the law of England. The demanding of any property from a person by menaces, with intent to steal the same, is made felony, and punishable by imprisonment for any term not exceeding three years. The sending of threatening letters, whether anonymously written or with a fictitious name, demanding money, or threatening to kill a person, or fire his house, is a felony, and was formerly punishable by death, but now by penal servitude for life, or not less than three years, or imprisonment for any term not exceeding four years.

THUG, *thug* (Hindu, *Phagna*, to deceive).—

The name means literally a deceiver, and was applied to an association of secret murderers in India, which some years ago excited much attention in that country. They went about in gangs of from ten to two or three hundred, sacrificing to their tutelary goddess Kali every victim they could seize, and dividing the plunder among themselves. They generally assumed the appearance of merchants, the better to entrap their unsuspecting victims, whose relations took little interest in the matter. The origin of the system is referred to the remotest antiquity, but it was little known to the English before 1810, when measures were taken for its suppression; but it was not till about 1830 that effectual measures for putting a stop to it were adopted, by the arrest of every known Thug, or a relative of a Thug, in India. They were colonized at Jubbulpore, forming a trade settlement; and their descendants are still under government supervision there, and the practice of Thuggee has become extinct.

THUMBSOREW. (See TORTURE.)

THURIFER, *thu'-ri-fer*.—In the Roman Catholic worship, the name given to the bearer of the thurible, or vessel containing the incense.

THURSDAY, HOLY. (See HOLY THURSDAY.)

TIARA, *ti-a'-ra*.—A kind of high hat worn by distinguished persons of Eastern nations, those of kings and priests being concealed by a sort of crown, whence the term has been applied to the triple crown worn by the Popes. The second crown was added by Boniface VIII., in 1299; the third by Urban V., in 1362. It is uncertain when the Popes first assumed the tiara, which was designated *regnum*, or emblem of royalty, to distinguish it from the mitre.

TIMOTHY, EPISTLES OF ST. PAUL TO, *tim'-o-the*.—The name of two books of the New Testament, as to the authenticity of which there has never been any reasonable cause to doubt, and it has only been called in question by the hypercriticism of modern Germany. The dates of these epistles are uncertain and much disputed, but probably the first may be referred to about the year A.D. 64, the second to 65. The design of the first epistle is partly to instruct Timothy in the duties of that office with which he had been intrusted; partly to supply him with credentials to the churches which he might visit; and partly to furnish through him guidance and direction to the churches themselves. In the concluding portion, the apostle discourses against some vices to which the Christians at Ephesus seem to have been prone. The second epistle was written when the apostle was a prisoner at Rome; and its design is partly to inform Timothy of his circumstances, and partly to utter his last warning voice against the errors and delusions which were corrupting and disturbing the churches.

TITHES, *tithes* (Lat., *decimas*; Sax., *teotha*—i.e., tenth).—In Ecclesiastical Law, are defined to be "the tenth part of the increase yearly arising and renewing from the profits of lands, the stock upon lands, and the personal industry of the inhabitants." Under the Mosaic economy, the tenth part of the yearly increase of their goods was due by the children of Israel to their priests; but the system has evidently an earlier and more extended origin, for we read of

Abraham, on his return from his expedition against the five kings, giving the tenth part of his spoils to Melchisedec, king of Salem, and traces of the same custom are to be found among several of the nations of antiquity. It is generally believed that tithes first began to be generally settled upon the Church in the 4th century. In this country, they were probably introduced at the time when Christianity was planted among the Saxons by Augustine, the monk, about the end of the 6th century. The payment of tithes in the Christian Church was for some time at first voluntary; but as the influence and power of the Church increased, it came to be claimed as a right, and the power of enforcing it conceded by the temporal sovereigns. The first recorded instance of this in England occurs towards the end of the 8th century, when Offa, king of Mercia, gave the Church a civil right to collect and recover tithes. By the original law, all the land of the country was tithable, except such as belonged to the Crown and to the Church itself. Much of the Church lands, which at the Reformation were disposed of to laymen, and would thus have become tithable, were specially exempted; some were exempted by special arrangement entered into with the parson or vicar, with consent of the ordinary and the patron of the living; and some were exempted by prescription, which supposes a composition. By 13 Eliz. c. 10, however, all subsequent compositions were limited to a period of three lives, or twenty-one years. Tithes were originally paid in kind; and, notwithstanding the inconveniences and vexatious of such a system, no regular attempt was made to remedy it until the passing of Act 6 & 7 Will. IV. c. 71, by which a board of commissioners was appointed for the purpose of converting the tithes into a rent charge, payable in money, but varying in amount according to the average price of corn for the seven preceding years. In Ireland, tithes (the collection of which had occasioned many disreputable and even disastrous quarrels) were abolished by the Disestablishment Act of 1869.

TITHING, *tith'-ing*.—In the Anglo-Saxon times, a company of ten men, with their families, knit together in a society, all of them being bound to the king for the peaceable and good behaviour of each of their society.

TITULAR, *tit'-u-lar*.—One who possesses the title of an office without the real power belonging to it. In the Roman Catholic Church there are titular bishops.

TITUS, EPISTLE TO, *tite'-us*.—A canonical book of the New Testament, addressed by the Apostle Paul to his disciple Titus. The date of the epistle has been the subject of much dispute, some fixing it as early as the year 52, other at 65. The apostle furnishes Titus, whom he had left behind in Crete, with rules of conduct, especially in respect to certain false teachers and the appointment of elders. The epistles to Timothy and Titus are generally known as the Pastoral epistles.

TOBIT, *to'-bit*.—One of the apocryphal books as regarded by Protestants and by Jews, but included in the Roman Catholic canon of the Old Testament. (See APOCRYPHA.) It contains the history of Tobit, or Tobias, a pious Jew living in exile at Ninaveh. The author is supposed to have been a Jew who, according to Ewald, pro-

bably wrote about 350 B.C. Some theologians, including Luther, regard it as a moral fiction.

TOLERATION, ACT OF, *tol'-e-rai'-shun*.

—An act passed in the reign of William and Mary, by which the dissenters were relieved from all penalties for not attending the parish church, and for going to their separate meetings. The Socinians were excepted, but not so much because they were nonconformists, as because their opinions were considered as militating against the essential doctrines of the Gospel. The benefit of the act was extended in a special manner to the Quakers.

TONSURE, *ton'-shure* (Lat., *tondeo tonsus*, to shave).—The act of clipping the hair or shaving the head. In the Romish Church tonsure is the first ceremony used for devoting a person to the service of God. The term is also applied to the corona or crown worn by the priests of that church, as a mark of their order or rank.

TOPAZ, *to'-paz*.—One of the gems used in the garments of the Jewish high priest, and is referred to by John as one of the foundations of the New Jerusalem.

TORT, *tort* (Lat., *torlus*, twisted).—A law term used to denote any private injury or wrong, because it is twisted or crooked, and contrary to that which is right and straight. It is distinguished from a crime against the public or the state.

TORTURE, *tor'-tsher* (from Lat., *torqueo*, I twist).—In a legal sense, the application of bodily pain in order to extort confession from a suspected person or condemned criminal. With the ancient Romans, it was only practised upon the bodies of slaves. Judicial torture formed part of all the legal systems of Europe wherein the Roman law was adopted; still it does not appear to have been generally had recourse to until the 13th century. But when this severe form of punishment received the ecclesiastical sanction, its employment became painfully general. By the Inquisition it was resorted to upon every occasion, and under its most terrible forms. It would appear that torture was unknown in England until 1468, when one Hawkins was put to the rack, and, in consequence of the confession extorted from him, was afterwards executed. Henceforth it was almost uninterruptedly practised until the year 1640, when one Archer, who was suspected of being concerned in an attack upon Archbishop Laud's palace at Lambeth, was racked in the Tower to make him confess his companions. This was the last instance of its practice in England. In France it was partially abolished by a decree of Louis XVI. in 1780; but it was not until the Revolution that it was finally swept away.

Instruments of Torture.—Human ingenuity seems to have been boundless in the invention of instruments capable of inflicting the most exquisite and prolonged sufferings by means of torture. The rack was a large open frame of oak, in shape somewhat resembling a manle, upon which the examinee was laid upon his back, with his wrists and ankles attached by cords to two rollers at the end of the frame. Questions were put, and if not satisfactory, the extremities were gradually strained till the bones exulted from the sockets. The "scavenger's daughter" was another dreaded engine of torture—a broad hoop of iron, consisting of two parts fastened by a hinge. The examinee was placed upon his knees on the ground, and the executioner having introduced the hoop under the prisoner's legs, compressed him together till the

extremities were fastened over the small of the back. There were other "lesser tortures," such as the pincers, thumb-screws, and manacles. In Scotland and in France, "the boot" was a common instrument of torture. Here, the victim had tight iron rings placed upon his legs, and between the flesh and the rings wedges were driven by a mallet. These and other diabolical instruments remained in use in Scotland until the final abolition of torture in that country in 1708.

TORY, to'-re.—A term which, for two centuries, has served to designate one of two principal political parties in England. As well as the term "Whig," it dates from the reign of Charles II., for it was in the year 1699 that the words Whig and Tory were first heard in their application to English factions. The first definition given by Dr. Johnson, in his Dictionary, is "a cant term derived, I suppose, from an Irish word signifying a savage." Respecting the principles of a Tory, the lexicographer adds:—"One who adheres to the ancient constitution of the State, and the apostolical hierarchy of the Church of England." The early Tories opposed the Exclusion Bill, and gave their adherence to Charles II. in his attempts to prevent a renewal of the attack upon James II., by successive prorogations of the Parliament. As indicative of an existing party, the word Tory is now almost obsolete, having been superseded by the more decorous term, Conservative. (See CONSERVATISM.)

TOTAL ABSTINENCE. (See TEMPERANCE SOCIETIES.)

TOTEMISM, to'-tem-ism (North American Indian, *totem*).—A name given by some writers to the animal worship and adoption of animals, plants, or heavenly bodies as tribal badges by some of the people mentioned in the Old Testament, also by Arabians, and North American Indians. According to Professor Robertson Smith, the members of some of the Semitic tribes believe that they are descended from the animals or other totems whose names they bear, and the line of descent is traced through the mother, who gives her totem to the children; and persons of the same totem are not allowed to intermarry.

TOWN (Ang.-Sax., *tun*, from *tyman*, to enclose).—The name was originally given to the enclosure of the farm and farm-house by a hedge, but afterwards extended to a collection of houses. As the houses increased in number, the town became a municipality, and officers were elected for various purposes. In England a town that either is, or has been, the see of a bishop is styled a city. (See CITY.)

TRACT SOCIETIES.—For two hundred years associations for printing and promoting the sale of religious works have existed in this country. The Society for Promoting Christian Knowledge, founded in 1701, issued, for gratuitous distribution, religious tracts or short papers. In 1742, John Wesley began the publication and distribution of tracts, and in 1782, he and Dr. Coke organized the "Society for the Distribution of Tracts among the Poor." Other Societies for a similar purpose were established in England and Scotland. The most extensive organization of the kind, the "Religious Tract Society" of London, was founded in May, 1799, chiefly through the exertions of the Rev. George Burder, of Coventry. It has issued more than 500,000,000 copies of works in about 110 different languages and dia-

lects, and its catalogue includes about 12,000 different publications. The Society has for some years past extended its operations to the publication of large and elaborate works connected with religious subjects, and now issues several publications partaking more of a secular character than the tract. There are Tract Societies at Hamburg, Paris, Geneva, in Belgium, and in the United States, all exhibiting great energy in the work of diffusing religious literature adapted for distribution.

TRACTARIANISM, trakt-ari'-i-an-ism.—The name given to a movement within the Church of England, from the issue at Oxford, between 1833 and 1841, of a series of papers entitled "Tracts for the Times." They were 90 in number, and consisted of extracts from the writings of the Ante-Nicene fathers, and original writings by Dr. Pusey, the Rev. John Keble (author of the "Christian Year"), the Rev. Isaac Williams, Dr. John Henry Newman (now a cardinal of the Roman Catholic Church), and other University men of distinction. The last issue maintained the compatibility of the Thirty-nine articles with the doctrines of the Roman Catholic Church. This was condemned by the hebdomadal board of Oxford University in 1841, and the author, Dr. Newman, soon afterwards resigned his vicarage of St. Mary's, Oxford. In 1849, Dr. Pusey was suspended from the office of University preacher on account of a sermon on the Eucharist. The originators of the movement (frequently designated Puseyites), were very learned, pious, and ascetic men, who endeavoured to infuse a spirit of earnestness into the ministrations of the Church, and to restore the ancient doctrine and discipline. Their efforts led to the extreme High Church doctrines, and, although not contemplated by them, to Ritualism, and the secession of some eminent divines to the Roman Catholic Church. They certainly succeeded in stimulating active religious efforts, even among the Evangelical clergy, in theory opposed to their teachings.

TRADE, BOARD OF, OR COMMITTEE OF THE PRIVY COUNCIL FOR TRADE.—A department of the British government, whose origin dates from 1660, when Charles II. erected two separate councils, one for trade and one for foreign plantations. These two councils were in 1672 superseded by a united council for trade and plantations, for superintending the affairs of the colonies and plantations, together with the trade navigation of the kingdom. After various changes, the present board was established, by order in council, for the consideration of all matters specially relating to trade and the colonies. It is, in fact, a permanent committee of privy council, constituted for that purpose. It consists of a President and Vice-president, appointed by the queen in council; and the other members of the board similarly appointed are the Lord Chancellor, First Lord of the Treasury, principal Secretaries of State, Chancellor and Under Treasurer of the Exchequer, Speaker of the House of Commons, Chancellor of the Duchy of Lancaster, Paymaster of the Forces, Master of the Mint, and such officers of state in Ireland as are privy councillors in England. The President and Vice-president, however, ordinarily exercise all the duties, and the other members rarely interfere. The duties of this board have of late years been considerably extended, and are now of a very varied nature. It has the

general superintendence of all matters relating to merchant ships and seamen, and the carrying into execution of the statutes in force regarding them. It also exercises a supervision over railways, both in the original formation and subsequent working. It has to do with the registration of joint-stock companies, and by the Bankruptcy Act of 1883 exercises a control over trustees in bankruptcy, &c. It also collects and publishes tables of the revenue, trade, commerce, wealth, population, &c., of the United Kingdom and its dependencies, as well as of foreign countries.

TRADITION, *tra-dish'-un* (Lat., *traditio*; from *trado*, I give or deliver).—In its widest signification, this term denotes whatever is handed down to us concerning the past; and in this sense all history is tradition. In its more limited sense, it is applied to any knowledge handed down from one generation to another by oral communication. In the early ages of mankind, before the art of writing was introduced or practised, all history was thus handed down by oral communication. When these came to be written down long after the events had occurred, they partook more or less of the opinions and judgments of those who had handed them down, as well as of those who had written them out. They differ materially, therefore, from events recorded by eyewitnesses, or written down at or soon after the time when they occurred. Historians, therefore, distinguish between the two, calling the former tradition, the latter history. The Jews believed that besides the written law contained in the Old Testament, Moses had delivered an oral law, which had been handed down from father to son, and constituted their traditions, and is contained in the Talmud (which see). In the Roman Catholic Church, the term tradition is applied to the doctrines supposed to have been communicated by Christ to his apostles, and handed down by them orally to their successors.

TRADUCIANISM, *tra-dul'-se-an-ism* (from the Lat., *tradux*, a vine-layer for propagation).—A theory first started by Tertullian, that the soul, as well as the body, of each human being is propagated by the parents.

TRAINBANDS.—A force instituted in this country by James I. It partook of the nature of both militia and volunteer. It was dissolved by Charles II., but the name was retained by the London Militia.

TRANSCENDENTAL, *tran-sen-den'-tal* (Lat., *transcendere*, to go beyond).—In Philosophy, a term used to express whatever transcends or goes beyond actual experience. This meaning is somewhat restricted by Kant, who further draws a distinction between *transcendent* and *transcendental*. By the former he seeks to denote what is wholly beyond experience, being neither given as an *a posteriori* nor *a priori* element of cognition—what, therefore, transcends every category of thought. Transcendental he applied to signify the *a priori*, or necessary cognitions, which, though manifested in consciousness, as affording the conditions of experience, transcend the sphere of that contingent or adventitious knowledge which we acquire by experience.

Transcendentalists.—A designation applied to some writers of great ability and distinction in the United States who profess to be guided in religious and philosophical matters by their internal consciousness, rather

than by any fixed rules or creeds. The most eminent of the writers is Ralph Waldo Emerson, whose philosophy may be described as a kind of intellectual Pantheism.

TRANSMIGRATION, *trans-mi-gra'-shun*.—A very ancient and wide-spread religious belief that, after death, the soul passed into another body. (See METEMPSYCHOSIS.)

TRANSPORTATION, *trans-portal'-shun* (Lat., *trans*, across, and *porto*, I carry).—Removal or banishment to some fixed place. The origin of this mode of punishment is to be found in 39 Eliz. c. 4, anent rogues and vagabonds, who may be sentenced by the justices at quarter sessions to be banished out of the realm, and be conveyed to "such parts beyond the seas as shall be at any time hereafter for that purpose assigned by the privy council unto her majesty." The term transportation does not occur in any statute prior to 18 Car. II. c. 3. Afterwards an act of 1718 authorised the criminal courts, in chargeable offences, or those which were nominally but not really punishable with death, to give over the offenders to contractors, who engaged to transport them to the American colonies, and thus obtained a vested property in their labour for seven or fourteen years, which was generally sold by auction. The convicts became valuable to the planters, and the traffic in them continued to be vigorously prosecuted till the American war of independence in 1775. After some time spent in finding out a suitable place of transportation, Australia was at length determined upon, and in May, 1787, the first band of convicts left England for that country. New South Wales, Van Dieman's Land, and Norfolk Island, became the principal receptacles for convicts. At length the reception of convicts became distasteful to the colonists, and the statute 10 and 11 Vict. c. 67, was passed, permitting offenders under sentence of transportation to be removed to any prison or penitentiary in Great Britain; and, finally, 20 and 21 Vict. c. 3, abolished transportation altogether as a punishment, and substituted in its place penal servitude (which see).

TRANSUBSTANTIATION, *tran-sul-tan-se-ul'-shun* (Lat., *trans*, through, and *substantia*, substance).—In the Romish Church, is applied to the supposed conversion of the bread and wine in the Eucharist into the body and blood of Christ, immediately on its consecration by the priest. This dogma has taken its rise in the Church since the 9th century. (See EUCCHARIST.)

TRAPPISTS, *trap'-pists*.—A branch of the Cistercian order, notable for the austere discipline observed. The monastery of La Trappe is near Montasse, in the French department of Orne. It was founded in 1140; but during the long wars between England and France fell into decay, and in the beginning of the reign of Louis XIV. only seven monks remained, and they were notorious for their licentious habits. In 1664, a new abbot, De Rancé, was consecrated, and he, against much opposition, set about the work of reform. The monastic rule was noted for its severity. The inmates of the monastery devoted 12 hours a day to devotional exercises, and several hours to laborious work. They lived on vegetables and water, and were not allowed to hold conversation with each other, but when they met said, *Memento mori* (Remember death). They never undressed, even in case of illness, and

asleep on boards. There were other houses of the order which no longer exist in Europe; but in America there are several establishments.

TRAVERSE, *tra-ver-sé* (Lat., *transversus*).—In Law, is the name given to a plea contradicting some matter of fact alleged by the opposite party. In criminal proceedings, not guilty is a general traverse, which throws on the prosecutor the necessity of proving the material facts.

TREASON, *tre-son* (Fr., *trahison*, Lat., *proditio*).—In Law, imports a betraying, treachery, or breach of faith. It is used to denote not only offences against the king and government, but also that accumulation of guilt which arises whenever a superior reposes confidence in a subject or inferior, between whom and himself there subsists a natural civil or even spiritual relation, and the inferior so abuses that confidence, and so forgets the obligations of duty, as to destroy the life of such superior or lord. Hence the twofold division of treason into petit and high treason. For a wife to kill her lord or husband, a servant his lord or master, an ecclesiastic his lord or ordinary—these being regarded as breaches of private and domestic faith, were denominated petit treasons. Since 1828, however, petit treason has been abolished and reduced to the simple head of murder. High treason, as defined by the Statute of Treasons (25 Edw. III. c. 2), embraces the following heads:—(1) Compassing or imagining the death of the king, the queen consort, or their eldest son and heir; (2) violating the king's companion (i.e., the queen consort), or the king's eldest daughter unmarried, or the wife of the king's eldest son and heir; (3) levying war against the king within his realm; (4) being adherent to the king's enemies in his realm, giving them aid and comfort in the realm or elsewhere; (5) counterfeiting the king's great or privy seal; (6) counterfeiting the king's money, or knowingly bringing false money into the realm counterfeit to the money of England, to merchandise and make payment withal, in deceit of the king and his people; (7) slaying the chancellor, treasurer, or the king's justices of either bench, justices in eyre, justices of assize, or any other justices assigned to hear and determine, during their offices. The sixth species of treason was reduced to a felony by 2 Will. IV. c. 34. Some other offences were made treasonable by subsequent statutes. Formerly the punishment of high treason was that the offender be drawn to the gallows, hanged by the neck, cut down alive, his entrails taken out and burned before him while yet alive, his head cut off, and his body divided into four parts, to be at the king's disposal. By 54 Geo. III. c. 146, the sentence now is, that he be drawn on a hurdle to the place of execution, and there be hanged until dead, the head to be then severed from the body, and the body to be divided into four parts, to be disposed of as the king may see fit.

TREASURY, *tres-u-re*.—One of the chief departments of the Government of the United Kingdom, having the entire control of the receipt and expenditure of the national revenue. The dignified office of Lord High Treasurer has been in modern times superseded by a commission, vested in five persons, with the title of "Lords Commissioners for executing the office of Lord High Treasurer." The first Lord is almost

invariably the Prime Minister, and the Chancellor of the Exchequer has also a place in the Commission.

TREATY. (See LAW OF NATIONS.)

TRENT, COUNCIL OF, *trent* (Lat. *councilum Tridentinum*).—The name given to a celebrated council convoked by Pope Paul III., for the purpose of defining and illustrating the doctrines of the Church, condemning heresies, and reforming abuses that had crept into the Church both in doctrine and discipline. It met in 1545, and was continued during twenty-five sessions to the year 1563, under the pontificates of Julius III. and Pius IV. It was intended to serve as a foil to Protestantism, by reforming the abuses of the Church, determining and establishing its doctrines, and conforming them to the spirit of the time. Hence the decrees of this council, together with the creed of Pope Pius IV., contain a complete summary of the doctrines of the Church. Attempts were also made to restore discipline and to reform the lives of the priests; but they utterly failed to produce the effect. The decrees were subscribed by 255 clergy, including 4 legates, 2 cardinals, 3 patriarchs, 25 archbishops, and 168 bishops, and were confirmed by a papal bull, dated 26th January, 1564. All the Roman Catholic states accepted the decrees of the council, and promulgated them in their territories, with the exception of France, which persisted in asserting its independence. (See COUNCILS, and GALLICAN CHURCH.)

TRESPASS, *tres-pas* (Norman French, from *tres*, beyond, and *passer*, to go).—In Law, in its largest and most extensive sense, signifies any transgression or offence against the law of nature, of society, or of the country in which we live, whether it relates to a man's person or his property. In the more limited and confined sense in which it is commonly used, it signifies no more than an entry on another man's ground without lawful authority, and doing some damage, however inconsiderable, to his real property. A man is not only answerable for his own trespass, but that of his cattle also, and besides his common remedy by action, the law gives the injured party the power to distrain the cattle thus doing damage, till the owner shall make him satisfaction. In order to prevent trifling and vexatious actions of trespass, as well as other personal actions, various enactments were passed, which, however, were all consolidated, and their provisions extended by 3 & 4 Vict. c. 24, as explained by 4 & 5 Vict. c. 28. In all cases where it shall appear that the trespass was wilful and malicious, and it be so certified by the judge, the plaintiff can recover full costs.

In Scriptural Language, trespass implies any wrong done to another person, and in that sense the word is used in the Lord's Prayer.

TRIAL, *tri-al* (Ang.-Sax.).—The examination by a competent legal tribunal of the matter of fact in issue. Trial by jury has been the form most in use both in civil and criminal matters. (See JURY.) A trial at bar resembles an ordinary trial by jury, except that instead of being presided over by a single judge, all the judges of the court in which the action is brought are in attendance. It is now only granted in cases of great difficulty and importance. New trials are granted when the court in which the action is brought sees reason to be dissatisfied with the verdict on the

ground of its being against evidence, excessive damages, misdirection, discovery of fresh evidence, or some other cause.

TRIBUNES OF THE PEOPLE, *tribunes*.—Magistrates of ancient Rome, *Tribuni plebis*, first chosen from among the Commons to represent them 494 B.C. The office was annual.

TRINITY, *trin'-e-ty*.—The doctrine of the Trinity received by the greatest part of the Christian world, teaches that in the unity of the Godhead there are three persons, of one substance, power, and eternity—the Father, the Son, and the Holy Ghost. The word Trinity does not occur in the Scriptures, nor in the Apostles' creed, nor in the Nicene creed, but is found in the Athanasian creed. The doctrine has been attacked ever since the 16th century.

TRINITY-HOUSE.—The society of the Trinity was founded in 1515, for the promotion of commerce and navigation. It is a corporation, consisting of a master, four wardens, eight assistants, and thirty-one elder brethren, selected from commanders in the navy and merchant service; but as a compliment, members of the Royal Family and some of the nobility are occasionally admitted. They examine the naval pupils in Christ's Hospital and the masters of queen's ships, appoint pilots for the Thames, settle the rates of pilotage, erect lighthouses and marksmen, hear and determine complaints of officers and men in the merchant service, and all business connected with the Thames. The revenues of the Trinity-House are derived from lighthouses, dues, pilotage, &c.

TRINITY-SUNDAY.—The Sunday following Whit-Sunday. The festival of the Holy Trinity was instituted by Pope Gregory IV. in 823; the observance was first enjoined by the Council of Arles, in 1260; and the day was fixed in 1334 by John XXI.

TRIVIRATE, *tri-um'-vi-rate*.—An office filled co-ordinately by three persons. Several magistracies of this kind were recognized by the Roman government. In modern times we have an instance of a triumvirate at Rome in 1849, when Mazzini, Armellini and Saffi had the entire executive power placed in their hands.

TROVER, *tro'-ver* (Fr., *trouver*, to find).—In Law, a species of action invented for the purpose of trying a disputed question of property in goods and chattels. Originally it was an action for the recovery of damages against such person as had found another's goods, and refused to deliver them on demand, but converted them to his own use; and hence it is called an action of trover and conversion. By a fiction of law, actions of trover were at length permitted to be brought against any man who had in his possession, by any means whatsoever, the personal goods of another, and sold, used, or refused to deliver them up when demanded. These fictions are not now used, the fact of conversion now only requiring to be proved by showing that the defendant refused to deliver up the goods on request, or has destroyed them.

TRUCE OF GOD.—An institution of the Middle Ages, designed to mitigate the violence of private war by prohibiting hostilities from Thursday evening to Sunday evening of each week, also during the entire seasons of Advent and Lent, and on certain festival days. The days selected

were supposed to be rendered holy by the death and resurrection of Christ. This "truce" was introduced after the great famine of 1028-30 by the Bishops of Aquitaine, and the regulation soon spread all over France. Subsequently, the period of peace was extended from sunrise on Wednesday to sunrise on Monday, from Advent to Epiphany, and the feasts of the Virgin, John the Baptist, Peter and Paul, and All Saints. When the states of Europe began to assume a more consolidated form, and violations of peace and order came under the control of the civil authority, the "truce of God" disappeared.

TRUST, AND TRUSTEE, *trust, trust-ee*.—In Law, a trust is defined to be "a confidence reposed in some other, not issuing out of the land, but as a thing collateral annexed in privacy to the estate of the land, and to the person touching the land, for which *cestui que use* has no remedy but *subpoena* in Chancery." In principle, a trust is now much the same as a use was before the Statute of Uses—a *fiduciary* or beneficial interest distinct from the legal estate. The trustee is the person in whom the trust is vested, the *cestui que trust* the person who trusts or enjoys a beneficial interest in the objects of trust. The courts now consider a trust estate as equivalent to the legal ownership, governed by the same rules of property, and liable to every charge in equity which the other is subject to in law. The trustee is considered merely as the instrument of conveyance, and can in no shape affect the estate unless by alienation for a valuable consideration to a purchaser without notice. The estate of the trustee is at law subject to all the incidents which attend the ownership of land, and is usually called the trust estate, in contradistinction to the legal estate.

TWELFTH-DAY, *twelf'-th*.—The festival of the Epiphany, or manifestation of Christ to the Gentiles, being the twelfth day exclusive from Christmas. To this day tradition assigned not only the worship of the Magi, but the baptism of Christ, as well as the miracle of turning water into wine and that of feeding the five thousand, both considered to be typical of spiritual blessings. Until the year 300 A.D., the Eastern Christians celebrated this day as the anniversary of the birth of Christ. Subsequently they adopted the custom of the Latin Church in this respect.

TWELVE TABLES.—The name given to the first codification of the Roman law, drawn up about the middle of the 5th century, B.C.

TYPES, *types* (Lat., *typus*, a form, likeness).—In Theology, the term "type" is employed to designate an image or representation of some object which is known as the antitype. It is applied chiefly, although not exclusively, to those prophetic pre-figuring of the persons and incidents of the Gospel dispensation which are found in the ritual and history of the Jews. That much of the Old Testament is typical, is confirmed by the express declaration of the sacred writers; thus the ancient sacrifices were types of certain spiritual truths, and Christ declared that the brazen serpent set up by Moses was a type of His own crucifixion. That part of theology which is connected with the interpretation of Scripture types is known among scholars as "typology."

TZAR. (See CZAR.)

U.

UBIQUITARIANS, *yu-bi-kwit-air'-e-ans*.—A small German sect, originated about 1560 by John Brentius, who asserted that the body of Christ was present everywhere (*ubique*).

UKASE, *yu-kaiz'* (Russ.).—An ordinance of the Emperor of Russia, which has the force of law in his dominions.

ULEMA, *yu-le'-ma* (Arabic, plural of *alim*, wise).—A word signifying literally the wise men, and applied to the collective body of learned men in Turkey. The grand mufti is at the head of the Ulema; next to him come the Kaziaskers, of whom there is one for Europe and one for Asia; the third class are the mollahs, the inferior judges in the provinces; and after them are the cadis and common muftis. The Kaziascers have a voice and vote in the Koran, and all cadis are appointed by and subject to them.

ULTIMATUM, *ul-te-mat'-tum* (Lat.).—The final conditions or terms offered by a government for the settlement of a dispute between it and another.

ULTRAMONTISTS, *ul-tra-mont'-ists* (Lat., beyond the mountains).—A name formerly applied to all theologians in the Roman Catholic Church who advocated the highest spiritual and temporal power of the Papacy. It originated with the members of the Gallican Church, who denied the right of the Pope to depose sovereigns and interfere in the temporal affairs of states and of national churches, and maintained that the authority of a general council was superior to that of the Pope. The contrary view being held beyond the Alps, in Italy, its supporters became known as "ultranontana." The name has been in recent times applied to all who accept the decrees of the Vatican Council of 1870.

UNCLEANNESS.—The Biblical term for bodily infirmity, or temporary cause, which excluded any of the Jewish people from partaking of the observances of religion until purification was effected. In the book of Leviticus the law relating to uncleanness is given at great length.

UNCTION, EXTREME. (See EXTREME UNCTION.)

UNIFORMITY, ACT OF, *yu-ne-for'-me-te*.—An Act passed for the purpose of securing uniformity in public worship throughout the Anglican Church. One Act was passed in the first year of the reign of Elizabeth. The present Act of Uniformity is the 13 & 14 Car. II. c. 4, and regulates the form of public prayers, administration of the sacraments, and other rites of the church. The Act of Uniformity Amendment Act, whereby shortened services were authorized, and other changes made, was passed in July, 1872.

UNIFORMS, *yu-ni-forms*.—Military uniforms were first regularly used in France about 1668, and soon afterwards adopted in the English military service. Naval uniforms were not made the subject of strict regulation until the beginning of the reign of George III.

UNIGENITUS, *yu-ni-jen'-e-tus* (Lat., only-begotten).—The name given to a celebrated papal

bull issued by Clement XI. in 1713, and so called from its commencing *Unigenitus Dei Filius*. It was directed against the "Moral Reflections on the New Testament," by Père Quesnel, a celebrated Jansenist, and produced a great commotion in France, many of the clergy refusing to accept of it.

UNION, THE, *yu'-ne-on* (Lat., *unio*, I join).—In History, this term denotes the Act by which the two separate kingdoms of England and Scotland were incorporated into one under the title of the kingdom of Great Britain. Attempts had been previously made to effect this object; but it was not till 1707, by 5 Anne, c. 8, that it was actually accomplished. Twenty-five articles were drawn up and agreed to by the parliaments of both countries; the principal conditions of which being that there should be a communication of rights and privileges between the subjects of both kingdoms, except where otherwise agreed; that the laws relating to trade, customs, and the excise, should be the same in Scotland as in England; that there should be one parliament, and sixteen peers should represent Scotland in the House of Peers, and forty-five members in the House of Commons. Among the fundamental conditions of the union is that the Church of Scotland and the four universities of that kingdom be established for ever. The union of Great Britain and Ireland took place in 1800, by 39 & 40 Geo. III. c. 67. It admitted four Irish lords spiritual and twenty-eight temporal to the House of Peers, and 100 commoners to the House of Commons.

UNITARIANS, *yu'-ne-tri-re-anz* (Lat., *unus*, one).—A sect of religionists who believe in the existence of only one great and supreme Being, possessed of the glory and attributes of divinity, as opposed to the Trinitarians, or those who hold that there are three persons in the Godhead. The Unitarians differ greatly in the opinions which they hold regarding the nature of Christ. Some believe him to be the greatest of all created beings, endowed with great power and dignity, and existing before all worlds; others consider him to have had no existence previous to his birth on this earth, and to have been simply a man approved of God by miracles and wonders and signs, which God did in him. Sabellius in the 3rd, and Arius in the 4th century, held and propagated Unitarian notions. In the 16th century again, Faustus Socinus was very successful in diffusing similar doctrines; and in 1553, Servetus was burned by the instigation or consent of Calvin, for holding such views. In England, in the 16th and 17th centuries, similar sentiments prevailed, and in the beginning of the 18th many of the Presbyterian ministers embraced these opinions. In a short time their congregations generally adopted the same views, and thus many of the old Presbyterian chapels and endowments have become the property of Unitarians. Their origin as a distinct community in England dates from about 1730. Their form of government is essentially congregational, each congregation ruling itself. The modern Unitarians differ from the earlier chiefly in attributing to Christ less of the divine, and more of the human nature; many of them regarding him

as "constituted in all respects like other men." His mission, they consider, was to introduce a new moral dispensation, and his death they look upon, not as a sacrifice or atonement for sin, but as a martyrdom in defence of truth. They thus deny the necessity of an atonement, and hold that good works alone are sufficient to secure salvation. Many of the modern Unitarians hold that all mankind will ultimately be saved. (See HUMANITARIANS and SOCIINIANS). It is estimated that there are now about 1,000,000 Unitarians, of various shades of opinion, in this country.

UNITED BRETHREN. (See BOHEMIAN BRETHREN.)

UNITED BRETHREN IN CHRIST.

—A fraternity established among the Germans in Philadelphia about 1760, chiefly through the exertions of Otterbein, a missionary of the German Reformed Church. It now numbers about 140,000 members, issues more than 180,000 copies of periodicals annually, and owns ten colleges and schools. There are four bishops elected for a term of four years. No manufacturer, settler, or drinker of intoxicating liquors, can be a member of the church.

UNITED EVANGELICAL CHURCH.

—An ecclesiastical denomination in Germany, which arose in 1817 out of a union of the Lutheran and Reformed Churches.

UNITED IRISHMEN.—A political society which became active in Ireland in 1795. The meetings were held in secret, and the object was to establish a republic. Theobald Wolfe Tone was the founder.

UNITED PRESBYTERIAN CHURCH, THE, OF SCOTLAND. (See SCOTLAND, CHURCH OF.)

UNIVERSAL, *yu-ne-ver'-sal*, (Lat.).—A term in Logic, applied to a proposition in which what is predicated is declared to apply to everything comprehended in it; as, All men are mortal. A universal proposition may be either affirmative or negative; as, All men are subject to death, No man is perfect. It is opposed to a particular, which asserts or denies something of some, implying that the others are, or may be, left unspoken of; as, Some men are handsome; some animals cannot live in this country.

UNIVERSALIST, *yu-ne-ver'-sal-ist*.—A term applied to theologians who maintain the universality of the atonement, or that all men will finally be saved, as opposed to those who hold the doctrine of eternal punishment. Otherwise their views are very dissimilar, some believing in a remedial punishment of limited duration, terminating in a universal restoration to happiness; while others deny the existence of any future punishment, but only different degrees of happiness.

"URBI ET ORBI" (Lat., "to the city and the world").—A form used in the publication of Papal bulls, intimating that they are addressed, not only to the city of Rome, but to all the Catholic world.

URIM AND THUMMIM, *yu'-rim, thum'-min* (Heb., light and perfection).—Among the ancient Jews these were the means by which Jehovah communicated to communicate his mind and will to the high priests (Exod. xxviii. 30).

What they were is much disputed among critics. The most common opinion, however, is that they were precious stones on the high priest's breastplate, which revealed the will of God, by appearing of unusual lustre when favourable, and dim when unfavourable.

URSULINES, *ur'-su-lens*.—A monastic order in the Roman Catholic Church, founded at Brescia in 1533 by Angela Merici (afterwards canonized). It was at first a voluntary association of widows and young girls, who undertook the gratuitous education of children of their own sex, devoting their spare hours to visiting the sick and relieving the poor. As the number of members increased, they formed distinct congregations. In 1544, their mode of life was approved by Pope Paul III., and their establishments became numerous in Italy. In 1572, Pope Gregory XII. formed them into a religious order under the rule of St. Augustine, the members adding to the three ordinary monastic vows a fourth, binding them to instruct young girls gratuitously. In the early part of the last century the French Ursulines had more than 350 monasteries. The Ursulines have ceased to exist in Italy, Switzerland, and Germany, since 1871. There are Ursuline convents in Ireland and the United States.

USANCE, *yu'-zans* (Fr.).—In Commercial Law, the time, according to the usage or custom of different countries, which is allowed to elapse between the date of a bill and the time of its payment. The length of the usance, or time which it includes, varies in different countries from fourteen days to one, two, or, even three months. Double or treble usance is double or treble the usual time; and half usance is half that time.

USE.—In Law. (See TRUST.)

USHER OF THE BLACK ROD, *ush'-er* (from the Fr.).—An officer belonging to the order of the Garter, and having the custody of the chapter-house of the order. He is also the chief gentleman usher to the sovereign, and is appointed by letters patent from the crown. His chief duties are connected with the ceremonies of the Houses of Parliament. He attends upon the House of Lords during its sittings, and carries the messages of the house to the Commons. He executes orders for the commitment of parties guilty of breaches of privilege and contempt, assists at the introduction of peers, &c.

USUFRUCT, *yu'-shoo-frukt* (Lat., *usus, use*, and *fructus*, fruit).—In Civil Law, the right of using and reaping the fruits of things belonging to others, without destroying or wasting the subject over which such right extends.

USURY, *yu'-shoo-re* (Lat., *usura*).—In Commercial Law, is interest, or money given for the use of money. (See INTEREST.) Commonly, however, it is used to denote excessive or exorbitant interest, or the taking of a higher rate of interest than that established by law. The Jews were permitted to take usury from a stranger, but not from their own people. The English Parliament prohibited usury in 1345. The legal enactments against usury were all repealed by 17 & 18 Vict. c. 90.

UTILITARIANISM, *yu-til-e-tat'-re-an-izm*.—A name applied to that philosophical creed which regards utility, or the greatest happiness principle, as the foundation of morals, holding

that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. The standard here is not the individual's own greatest happiness, but the greatest amount of happiness altogether—the greatest happiness of the greatest number. By happiness is intended pleasure and the absence of pain; by unhappiness, pain and the privation of pleasure. Jeremy Bentham is

generally regarded as the founder of this sect, and the most distinguished of his disciples is Mr. Mill.

UTRAQUISTS, *u'-tra-kwists* (Lat., "in both kinds").—A name given to the followers of the reformer, John Huss, who contended for the administration of the Eucharist to the laity in both kinds—bread and wine.

V.

VAGRANT. (See BEGGAR.)

VAISHNAVAS, *vaish-nv'-vas*.—One of the three great divisions of Hindoo sects, the worshippers of Vishnu, subdivided into many minor sects.

VALENTINIANS, *va-len-tin'-e-ans*.—A school of Gnostics, founded in the 2nd century by Valentinus, who taught that heathenism was a preparatory stage of Christianity.

VALLOMBROSIANS, *val-lom-bro'-se-ans*.—A monastic order founded about 1308 by St. Giovanni Gualberto. It took its name from the valley of Vallombrosa, in the Apennines, where the abbey is established. They are now recognised as a branch of the reformed Benedictines. The abbey was suppressed in 1863, and the church and monastery are now occupied by the Royal School of Forestry.

VALUE. (See POLITICAL ECONOMY.)

VASSAL, *vas'-sal* (Fr., *vassal*).—In Feudal Law, a tenant, feudatory, or other person who vowed fidelity and homage to a lord on account of some land, &c., held by him in fee. It was likewise applied in a more general sense to all the dependents of a lord or prince. (See FEUDAL SYSTEM.)

VATICAN, *val'-i-kan*.—The Papal palace at Rome, and the name is popularly understood to indicate the Papal power itself. Voltaire used the phrase, "Thunders of the Vatican."

Vatican Chapter.—The most ancient chapter in the Roman Catholic Church, and known also as the Vatican Basilica. The members are 30 canons, 30 beneficed clergymen, 4 chaplains, and 26 beneficed clerks. The Sacred College is always composed of ecclesiastics who have been canons of the Basilica.

Vatican Council and Decrees.—An oecumenical council (see COUNCILS), summoned by an encyclical letter, assembled at Rome on the 8th of December, 1869, and was attended by 803 ecclesiastics of high rank. New canons were issued, and after much discussion and opposition, the infallibility of the Pope as head of the Church was almost unanimously affirmed, and a decree to that effect promulgated.

VEDAS, *ve'-das* (Sans., knowledge, from *vid*, to know).—The name given to the four principal sacred books of the Hindoos, believed to have been revealed by Brahma, and to be the fountain of all knowledge, human and divine. They are the Rigveda, Yajurveda, Samaveda, and Atharvaveda. They consist chiefly of prayers, hymns, tales, directions about sacrifices, &c., and are variously subdivided. They are believed to have emanated from Brahma at the creation, and to have remained for a long time scattered about in confusion until, about 5,000 years ago, a number of *vyasas* or compilers arranged them in their present form. Their antiquity is matter of much dispute.

VEHMIC COURTS. (See FEMGERICHTE.)

VENIAL SINS, *ve'-ne-al* (Lat., *venia*, leave).—In the Catholic Church, such sins as are of a light nature, not bringing spiritual death to the soul like mortal sins, but only weakening sanctifying grace. Protestants reject all such distinctions, regarding all sin as hateful in the sight of God.

VENIRE FACIAS, *ve-ne'-re fai'-she-as* (Lat., cause to come).—The name of a writ addressed by the sheriff or other officer, to cause the parties set forth in the writ to come to the place named.

VENUE, *ven'-yu* (Lat., *vicinetum*, neighbourhood).—In Law, is the county in which an action is to be tried.

VERDICT, *ver'-dikt* (Lat., *verum*, truth, and *dico*, I speak).—The answer of a jury given to the court concerning the matter of fact in any cause committed to their trial. (See JURY.)

VESPERS, *ves'-pers* (Lat., *vesper*, evening).—In the Roman Catholic Church, a portion of the ritual recited daily by priests and generally sung publicly, as the afternoon service on Sundays and high festivals. It consists of five of the Psalms, a hymn, the *Magnificat*, and several prayers and anthems.

VESTAL VIRGINS, *ves'-tal vir'-gins*.—Priestesses who, in ancient Rome, served in the temple of Vesta, and guarded the sacred fire on the altar. They also watched over the Palladium, which had been brought from Greece to Rome. (See PALLADIUM.) The greatest importance was attached to the preservation of their chastity, and a vestal who lost it, was stoned to death or burned alive. The term of service was for 30 years. They had many privileges.

VESTRY, *ves'-tre* (Lat., *vestiarium*).—The room attached to a church in which the ecclesiastical vestments are kept; and from the meetings of parishioners for parochial purposes being usually convened in these rooms, such meetings have received the same name. A general vestry is one to which every person paying church-rates is admissible of common right; a select vestry, one composed only of certain individuals chosen in different ways, in many cases by their co-vestrymen. The powers of the vestry extend to the management of the parish funds, the repairing and ornamentation of the church, election of parish officers, &c. (See PARISH.)

VETO, *ve'-to* (Lat., I forbid).—In Politics the power possessed by some legislative body, which has not the power of originating any measure, of rejecting such as may be submitted to it by another body. In most constitutional monarchies, the sovereign possesses a veto over the

enactments of the legislature. One of the symptoms of the outbreak of the Great French Revolution was an effort to deprive the king of his power of veto, and mobs in the streets raised cries of "Down with the Veto," and nicknamed the monarch, "Monsieur Veto."

VICAR, *vik'-ar* (Lat., *vicarius*).—Literally, one who is appointed as deputy to another, to perform his functions in his absence and under his authority. Hence in the German empire the imperial vicars were princes who had the right of representing the emperor in case of absence or interregnum; and the Pope is sometimes styled Christ's vicar on earth. Commonly, however, it denotes the priest of a parish. (See **CLERGY**.)

VILAYET, *vil'-a'-yet*.—The designation of a chief administrative division or province of the Ottoman empire, each under the authority of a governor-general and a council.

VILLEIN, OR **VILLAIN**, *vil'-leyn*, *vil'-lan* (Lat., *villanus*).—Formerly, in English Law, a man of base or servile condition, a bondsman or servant; one who held by a base service. Of these, there were two sorts in England—one a villain in gross, who was immediately bound to the person of his lord and his heirs, the other a villain regardant to a manor, being bound to his lord as a member belonging to and annexed to a manor, whereof the lord was owner. Villenage was a base tenure of lands or tenements, of which there were two sorts—one pure, when a man held upon doing whatsoever was commanded of him; and, second, privileged, otherwise called villain socage, held on the condition of performing certain services agreed upon between the lord and tenant.

VIVISECTION, *viv'-t-sek'-shun* (Lat., *vivus*, alive, and *sectio*, a cutting).—A term applied to experiments and operations on living animals for the purpose of acquiring physiological and surgical knowledge. The practice is of great antiquity, and was adopted by Galen. Harvey, the discoverer of the blood, gained valuable knowledge from his experiments on living animals. Medical teachers and surgeons attach the greatest importance to these experiments, maintaining that the pain inflicted on the animals is not to be considered in comparison with the knowledge obtained by which the sufferings of human beings may be alleviated. Unquestionably great, if scientific, cruelty is exhibited; and it appears to be quite unnecessary, when a physiological fact has been once established, to repeat the experiments for the instruction of students. Public indignation has been greatly excited on the subject, and societies for the prevention of cruelty to animals, in this country and on the continent, have made great exertions to procure a prohibition of the experiments. In 1862, an international conference to discuss the question was held at the Crystal Palace. In consequence of the report of a commission, an Act of Parliament was passed in August, 1876, regulating the practice of vivisection, and permitting the experiments to be made only by certificated persons. A resolution in favour of vivisection was passed by the International Medical Congress, which met in London in August, 1882.

VIZIER, OR **VIZER**, *viz'-eer* (Arabic, bearer of a burden).—A title of honour borne by certain high functionaries of the Turkish empire,

civil as well as military. At first the title was confined solely to the prime minister of the empire, but afterwards the number was gradually augmented, and, at length, the title came to be conferred on certain governors of provinces. It is now borne by all the pachas of three tails, or the highest order of pachas. The grand vizier, as head of the government and representative of the sovereign, is president of the council, and by virtue of his office, minister of the interior. He is the highest official in the empire. On his appointment, he receives from the Sultan a seal on which the name of the monarch is engraved, which he is obliged to wear always in his bosom, and by authority of which he rules. He is the only subject who is saluted with the *alkish*, a kind of blessing.

VOLITION. (See **WILL**.)

VOLUNTARIYISM.—In ecclesiastical affairs, the policy of those who advocate the separation of Church and State, and generally the exercise of authority in religious matters of the civil power.

VOLUNTEER MOVEMENT, *vol-un-teer'* (Fr., *volontaire*, a volunteer).—A volunteer is literally one who enters into service of his own accord, or who, in time of war, offers his services to the country. In 1794, and again in the early part of the present century, when Bonaparte was threatening to invade England, many volunteer corps were formed, numbering 400,000 men; and the movement was renewed in 1859, when Her Majesty's Government permitted the organization of volunteer rifle corps under the provisions of 44 Geo. III., as well as of artillery corps in maritime towns in which there may be forts and batteries. The volunteer force of Great Britain now comprises Light Horse Volunteers, Artillery Volunteers, Engineer Volunteers, Engineer and Transport Volunteers, Mounted Rifle, and Rifle Volunteers. There is also a Naval Artillery Volunteer Force. The oldest of all existing volunteer regiments is the Artillery Company of London (which see). In the United States there were 70,000 volunteers for the Mexican war of 1846-7; and in the War of Secession, 1861-5, out of more than 2,000,000 soldiers, all but 50,000 were volunteers. (See **YEOMANRY CAVALRY**.)

VOTE. (See **FRANCHISE** AND **PARLIAMENT**.)

VOW, *vow* (Lat., *votum*).—A promise made to a divine power to perform some future act or to pursue some future line of conduct, and calling upon that power to be propitious or unpropitious to him according as he keeps or breaks his word. In most cases the vow partakes of the character of a bargain: a piece of service is asked, and a reward promised in the event of its being performed. The use of vows is to be found in most religions, made either under some pressing necessity for the success of some enterprise, or in consequence of some deliverance. Among the Jews they were very common. In the Roman Catholic Church a vow "is a promise made to God of a thing which we think to be agreeable to him, and which we are not on other grounds obliged to render to him."

Votive Offerings.—Offerings or memorials intended as the fulfilment of vows. Such offerings, in some cases of considerable value, in others taking the form of a tablet, may be seen in many continental churches.

VULGATE, *vul'-gait*. (See **BIBLE**.)

W.

WAFER, *waf'-fer*.—The name given by Protestants to the thin circular pieces of unleavened bread used in the Roman Catholic Church in the celebration of the mass. Small wafers, about an inch in diameter, are used in the administration of the communion of the people; larger ones for the mass, and still larger for the service of benediction or exposition.

WAGER, *waj'-jer*.—Something staked by each of two parties in support of his opinion concerning a future or unknown event, the party whose opinion is found to be correct receiving the stakes of both. A wager is not strictly fair unless the point in dispute is clearly the same to both parties, there being no concealed knowledge in the possession of either; nor unless the odds are proportional to the probabilities of the event happening or failing. Formerly, wagers were not illegal in this country, and the amount won could be recovered in a court of law, unless the wager operated as an incitement to breach of the peace or of morality, or was *contra bonos mores*, or affected the feelings or interests of a third party, or disturbed the peace of society. But now, by 8 & 9 Vict. c. 109, it is declared that all contracts (whether by parole or in writing), by way of gaming or wagering, shall be null and void, and that no suit at law or in equity shall be brought to recover from a stakeholder a deposit on a wager; with a proviso, however, that this enactment shall not be deemed to apply to any subscription towards a plate or prize at any lawful game, sport, pastime, or exercise. (See GAMBLING.)

WAGER OF BATTLE. (See BATTLE, or BATTLE.)

WAGES, *waj'-jes* (Ang.-Nor.).—The reward or compensation paid to labourers, by those who employ them, in return for their services. The labour of man, like other objects of purchase and sale, has its market price, depending in general upon the ratio which the capital applied to the employment of labour bears to the number of labourers. Competition among capitalists for labourers raises wages, competition among labourers for employment lowers them. (See POLITICAL ECONOMY, STRIKES.)

WAHABEES. (See MOHAMMEDANISM.)

WAIFS. (See BONA.)

WAKES, *wakes* (Sax., *wacian*, to keep awake all night).—Holiday festivals or vigils held once a year in some of the rural parts of England, and once very popular. They are the emblems of certain religious vigils or eves, which were formerly held once a year in every parish, and followed by a festival. These festivals gradually deviated from the purposes for which they were originally intended, and became, as in most cases they are still where observed, scenes of dissolute indulgence.

WALDENSES, *wal-den'-ses*.—A religious community, known also as Valdenses, Valdesi and Vaudois, occupying enclosed valleys on the Italian side of the Cottian Alps. The doctrines held are similar to those of the Reformed Churches. The origin of the name has been

variously accounted for, some authorities deriving it from *wal*, a valley; others from Peter Waldo, of Lyons, who, in the 12th century, was the leader of a wide-spread movement against the corruptions of the clergy. The Waldenses were persecuted and massacred with the most horrible and almost inconceivable tortures, or left to die of starvation and pestilence, in 1332, 1400, 1478, 1560, 1655, 1685. Within the last few years they have been admitted by the King of Italy to the privileges enjoyed by Catholics. There are 15 churches with about 20,000 members in the valley, and Waldensian congregations have been established in this and other countries. Education is carefully attended to, and a large college is maintained. It was the persecution of the Waldenses that inspired Milton's magnificent sonnet, beginning, "Avenge, O Lord, Thy slaughtered saints."

WALPOLE ADMINISTRATIONS.—

Sir Robert Walpole was appointed First Lord of the Treasury and Chancellor of the Exchequer in October, 1715, but resigned in 1717. In 1721, he resumed office and retained it until February, 1742.

WALPURGIS NIGHT, *wal-pur'-is*.—In Germany, the night before the 1st of May is known by this name. It is the vigil of St. Walpurgis, a female saint, and missionary from England to Germany, who died about 778. The day of her canonization, the 1st of May, was at first celebrated as one of rejoicing, but in course of time a superstitious belief sprang up that at the eve of that celebration, witches and wizards held meetings, especially on the Brocken, in the Harz Mountains. The diabolical revels form an episode in Goethe's "Faust."

WAPENTAKE, *wap'-u-taik* (Sax., *wæpen*, arms, and *tac*, touch).—A term applied to a territorial division of a county in Yorkshire, and corresponding to what is otherwise called a hundred. The name is said to be derived from the custom that prevailed of the chief men of each division assembling before their chief or high constable, and touching their lances in token of their submission to him.

WARDEN, *ward'-en*.—An office appointed for the defence of some district. There were formerly Lord Wardens of the Marches, who kept watch and ward against incursions of the Scotch and Welsh.

WAR DEPARTMENT.—A very important Government department, under the control of the Secretary of State for War and the Commander-in-chief, the civil administration being regulated by the former and purely military matters by the latter. The War Office has four principal departments—the office of the Secretary of State, and the Ordnance, Finance, and Military departments.

WARRANT, *wor'-rant* (Ang.-Nor.).—The delegation of the power or authority to do some act, by the person in whom it is vested, to another. In this way a person gives a warrant of attorney to another to act on his behalf, or a sheriff grants warrant to his bailiff to arrest some one for him. But the term is more frequently

used in criminal matters to denote the authority issued by a justice of the peace for the apprehension of some one. The officer holding the warrant is justified in apprehending the party at any time, and even in breaking open the doors of a house in pursuit of him.

WARRANT OFFICERS.—A term applied to petty officers, as gunners, boatswains, and carpenters, in the Royal Navy.

WARRANTY, wor'-ran-te (Lat., *warrantia*).—In Law, a promise or covenant by deed, made by the bargainer for himself and his heirs, to warrant and secure the bargainee and his heirs against all men for enjoying the thing agreed on or granted between them. Warranty of lands formerly constituted an important part of law, but it is now of comparatively little importance. It was of feudal origin, and arose from the obligation of the lord to defend his tenant's title against all claimants; and if he failed to do so, he was bound to make him a recompense by giving him lands of equal value. Various statutes limiting the effects of warranty were subsequently passed; and by 3 & 4 Will. IV. c. 74, all warranties made after 31st Dec. 1833, by any tenant in tail, shall be absolutely void against the issue in tail, and all persons whose estates are to take effect after the determination of the estate tail. As respects things personal, by the civil law, an implied warranty was annexed to every sale, as to the vendor's title; and so too by our law a purchaser may have satisfaction from the seller of goods and chattels, who sells them as his own, but whose title is deficient, without any express warranty. But with regard to the quality of the goods so purchased (unless they be articles of human food), the seller is not bound to answer, unless he expressly warrants them to be sound and good, or unless he knew them to be otherwise, and used any art to disguise them.

WARREN, war'-ren (Fr., *garenne*; Ger., *caulren*, to preserve, protect).—In Law, a place privileged for the keeping of beasts and fowls of warren, which are hares and rabbits, partridges and pheasants, though some add quails, woodcocks, and waterfowl. The right of free warren could only be conferred by royal grant or prescription, which implied a grant, and vested in the owner of the franchise a property in the game, and excluded all other persons from hunting or taking it.

WASHING OF FEET.—One of the ceremonial observances, in the Holy Week, of the Roman Catholic Church. The Latin term is *Pedilavium*, the practice or the example of our Lord (John xiii. 5-14), and is referred to in the writings of several of the early Fathers. The washing of the pilgrims' feet by the Pope, and by bishops, in most of the great cathedrals, is an important ceremonial, with a special ritual. The number of pilgrims is generally twelve, in memory of the twelve apostles.

WASTE, waist (Lat., *vastum*).—In Law, is whatever tends to the destruction or depreciating the value of an inheritance. It may be either voluntary, or a crime of commission, as the pulling down of a house; or permissive, by omission only, as by suffering it to fall, for want of necessary repairs.

WAY, wai (Lat., *via*).—In Law, denotes either the right which one or more persons have

of passing over the land of another, or the space over which such right is exercisable. A private right of way may be grounded on a special permission, as where the owner of the land grants to another the liberty of passing over his land: in which case it is confined to the grantee alone, and cannot be assigned or conveyed to another. It may also be to the grantee, his heirs and assignees, being owners of such a house or close, in which case the right passes with the ownership of such property. The grantee may also impose such restrictions upon his grant as he thinks proper. A private right of way, may be also constituted by prescription. Act 2 & 3 Will. IV. c. 71, declares that no claim of right of way, uninterruptedly enjoyed for twenty years, shall be defeated by showing that such way was first enjoyed at any time prior to such period of twenty years, but such claim may be defeated in any other way; but where there shall have been an enjoyment for forty years, the right shall be deemed absolute and indefeasible, unless it shall appear that there was some agreement expressly made for the purpose by deed or writing.

WAYS AND MEANS. (See PARLIAMENT.)

WEEKS, FEAST OF. (See PENTECOST.)

WEHRGELD, OR WERGILD, wair'-gelt, wair'-gilt (Lat., *werentius*).—Among the Anglo-Saxons and some of the northern nations a fine for manslaughter, wounds, &c., by paying which the offender escaped from punishment.

WELLINGTON ADMINISTRATION.

—The Duke of Wellington succeeded Lord Goderich as Prime Minister in January, 1828, and resigned in November, 1830.

WESLEYANISM. (See METHODISTS.)

WESTMINSTER, ASSEMBLY OF DIVINES. (See ASSEMBLY OF DIVINES, WESTMINSTER.)

WESTPHALIA, TREATY OF, west'-fal'-le-a.—A treaty concluded in 1648, by which the disastrous Thirty Years' War was terminated. It is also known as the Treaty of Münster.

WHALES, LAWS RESPECTING.—

If whales are caught within three miles from the shores of Great Britain, they are the property of the crown; and they are therefore styled royal fish.

WHEEL, BREAKING ON THE.—A cruel mode of punishment, first applied in Germany to the murderers of Leopold, Duke of Austria, in the 14th century. In carrying it out, the criminal was laid on a cart-wheel, with his arms and legs extended, and his limbs, when in that position, broken with an iron bar. In France, there was a similar mode of punishment, but the criminal was stretched on a framework of wood resembling a St. Andrew's Cross, being scooped out above and below the elbows and knees, where the criminal was struck by the iron bar, and his limbs broken. This punishment was abolished in France at the Revolution, but in Germany it is still occasionally put in force against very great criminals.

WHIG, wig.—The well-known designation given to a political party in this country. It came from Scotland, but its exact derivation is by no means certain. According to some, it is from whig, corrupt or sour whey, and was originally applied to the Covenanters; according

to others, it was a contraction of whigamore, *i.e.*, get on, a word used by the western peasants in driving their horses, and was first applied to the insurrection which broke out after the Duke of Hamilton's defeat at Preston, which was known as the "Whigamores' raid." It came to be applied to that party in the country who were opposed to the king, and from Scotland it soon passed into England. Indeed, the origin of the party may be dated from the reign of James I., when the long struggle between the king and the parliament had its commencement. It was first assumed as a party name by that body of politicians who were most active in placing William III. on the throne of England. The name is now seldom used, the Whigs being merged in the Liberal party. Their voices are less democratic than those of the Radical portion of the party.

WHIPPING, *wip'-ping*.—A mode of punishment still inflicted in some cases, especially for brutal assaults on the person. When, some years since, garroting was prevalent, and lives were endangered by ruffianly attacks, the infliction of flogging on the criminals was found to have a very beneficial effect in putting a stop to the outrages. By 5 & 6 Vict. c. 51, attempts to injure or alarm the Queen by discharging fire-arms, or by other means, were liable to be punished by the infliction of public or private whipping. The private whipping of boys under 16 years of age was authorized in 1861; and a subsequent Act regulates the mode in which the punishment is to be administered. The Act 1 Geo. IV. c. 57 prohibited the whipping of women. In former times, the punishment of whipping was inflicted with the most savage ferocity. The culprit was tied to the back of a cart, and mercilessly flogged as it made its way through the streets. (See FLOGGING.)

WHITEBOYS.—The name given to an illegal association of Irish peasantry which for many years, in the latter part of the last century, committed murderous agrarian outrages. It originated in Tipperary; as a resistance to the attempts of some proprietors of estates to enclose common lands. The name taken was at first "Levellers;" but afterwards those who took part in the nightly expeditions of outrage and destruction wore white sheets over their other clothes, and were in consequence known as Whiteboys. In 1762 a special commission was appointed for the trial of those who could be apprehended; but the repressive effect was only temporary, and the outrages were renewed, various other names being given to the perpetrators.

WHITE FRIARS. (See CARMELITES.)

WHIT-SUNDAY, *wit'-sun-dai* (Lat., *Dominica alba*).—The seventh Sunday or forty-ninth day after Easter. It is said to have received the name of *Dominica alba* (white Sunday) in the early Church, from being one of the favourite seasons for baptizing, and all on whom the rite was conferred being required to appear in white on that day. It represented the Jewish feast of Pentecost, when the apostles were baptized with the Holy Ghost and with fire. With our ancestors, Whit-sundae was a season of great rejoicing, and all kinds of exercises and amusements engaged in. In Scotland, Whit-Sunday is a quarter day, and is suffered, by an Act of 1693, always to fall on the 15th of May.

WIDOW, *wid'-o*. (See DOWER.)

WIFE. (See HUSBAND and WIFE, DIVORCE, MARRIAGE, &c.)

WILL, OR TESTAMENT (Lat., *testamentum*).—In Law, the declaration, in proper form, of the manner in which a person desires his personal and real property to be disposed of after his death. In this country, the power of bequeathing is coeval with the first rudiments of the law, for we have no trace or memorials of a time when it did not exist. But this power of bequeathing did not originally extend to the whole of a man's personal estate, for we are told that by the common law, as it stood in the reign of Henry II., a man's goods were to be divided into three equal parts, of which one went to his heirs or lineal descendants, another to his wife, and the third was at his own disposal. If he died without a wife or without children, then the half was at his own disposal, the other half going to his heirs; if neither wife nor issue, then he might dispose of the whole. This continued to be the law of the land down to the reign of Charles I., but since that time it has changed by imperceptible degrees, and till now the deceased may by will bequeath the whole of his goods and chattels. By recent legislation all wills, whether of real or personal estate, must be in writing, and signed at the foot or end thereof by the testator, or by some person in his presence, and by his direction, in the presence of two witnesses at least, present at the time, who must subscribe and attest the will in his presence. A will made by any person under the age of twenty-one is invalid. A married woman can dispose of property settled to her separate use, or acquired by her after marriage. Important changes in the law on this subject were made by the Married Woman's Property Act, which came into operation on the 1st of January, 1883. (See HUSBAND and WIFE.) Lunatics, idiots, persons under undue influence, or under duress, or criminals convicted of such offences as subject their property to forfeiture. A will is revoked by marriage, either in the case of a man or woman, but it is not revoked by any other change of circumstances. It may, however, be revoked by another will or codicil subsequently executed, or by a writing declaring the intention to revoke, or by burning, tearing, or otherwise destroying the will with the intention to revoke it. A revoked will may be revived by re-execution, or by a codicil showing an intention to revive it. No obliteration, interlineation, or other alteration in a will is valid, except so far as the words or effect of the will before the alteration shall not be apparent unless with such alteration. But if the signature of the testator and subscribing witnesses be made in the margin opposite or near the alteration, or at the foot or end, referring to the alteration, it will be valid.

Will.—In Philosophy, the exercise of volition, or putting forth the active energy of the mind, as the result of feelings or emotions.

WILMINGTON ADMINISTRATION, *wil'-ming-ton*.—In February, 1742, the Earl of Wilmington succeeded Sir Robert Walpole as First Lord of the Treasury. He died in July, 1743.

WISDOM OF SOLOMON.—One of the apocryphal books. (See APOCRYPHA.)

WITCHCRAFT, *witsh'-kraft* (Ang.-Sax.).

—A supernatural power which some persons were formerly supposed to obtain possession of by entering into compact with the devil. The belief in the possibility of mortals being endowed with supernatural powers for accomplishing their ends appears to have prevailed in almost every age and country. "Thou shalt not suffer a witch to live," is the language of the law as given by Moses to the children of Israel: and subsequently we have an account of Saul's consultation with the witch of Endor, and of her raising up Samuel. Among the Greeks a general belief prevailed in magical practices and incantations, and Thessaly was the region most celebrated for the pursuit of these arts. The same superstitions were equally prevalent among the Romans. The modern idea of witchcraft, however, denoting a regular paction with the Evil One, dates from the rise of Christianity, and obtained its highest development in the Middle Ages. The early Christians regarded the gods of the heathen in the character of demons, and there is no doubt that many of the supposed meetings of witches and devil-worshippers were the secret assemblies of the worshippers of the pagan deities to celebrate their sacred rites. At a later period, the Waldenses and other early seceders from the Church of Rome, who were compelled to hold their religious assemblies in secret, were accused of the like practices. St. Augustine speaks of magicians as living in society with devils, and having a compact with them. The Church, however, seems for a time not to have attempted to put down the various popular superstitions that were connected with this subject; at least we meet with no general denunciation against witchcraft as a crime of itself down to about the end of the 12th century. Trials and persecutions were now introduced, which, in the course of two centuries, came to assume a regular system, and to be characterized by every feature of cruelty. The famous bull of Innocent VIII. on this subject appeared in 1484, narrating the popular superstitions on the subject, and appointing a commission to examine and punish witches. From this time it became a crime especially recognized by the ecclesiastical authorities in the Roman Church. In the 16th and 17th centuries, the persecution of witches was actively carried on all over Europe, and an incredible number of unfortunate creatures lost their lives. In England alone it is computed that no fewer than 30,000 of them suffered at the stake. In 1562, an Act was passed making witchcraft a crime of the first magnitude; and in the first year of James I., another Act was passed, making the supposed crime punishable by death. Stimulated by the rewards offered, a body of professed "witchfinders," appeared, the most prominent being a wretch named Matthew Hopkins, who was the means of bringing hundreds of poor creatures to a terrible death. Down even to the end of the 17th century, the learned men of Europe generally were believers in witchcraft. In the beginning of the following century a better state of feeling began to prevail, and by degrees the legislative enactments began to be repealed; but even in this country, among the lower classes, particularly in rural districts, a belief in witchcraft still prevails to a very great extent. So recently as 1863, a man reputed to be a wizard, was drowned in a pond at Hedingham, in Essex; and cases continually occur in which pretenders to the possession of magical powers, "wise men or

women," obtain money from ignorant dupes. The witch was believed to have entered into a regular engagement with the Evil One, who delivered over to her an ungodly familiar spirit to be always at her call, and to do whatever she desired of it; she, on the other hand, agreeing that she should be his after death. The agreement was a writing, and signed with the witch's own blood. Witches were supposed to assemble at certain periods, known as witches' sabbaths, presided over by the arch-fiend in the form of a goat with a human countenance. Each witch, in preparation for the meeting, anointed her feet and shoulders with a salve made of the fat of murdered and unbaptized children. The witch was believed to have the power of transporting herself through the air on a broomstick; of transforming herself into various shapes, particularly those of dogs and cats; of inflicting diseases on whom she pleased; and of punishing her enemies in a variety of ways. Objects that were naturally horrid and loathsome were regarded as the chosen instruments of the witches; as dead bodies, toads, frogs, lizards, serpents, scorpions, &c. Cats, from their silent and mysterious movements and midnight wanderings, were regarded as particularly sacred to witches, who often assumed their shape. A power over the elements of raising storms or producing calms, and of casting malignant influences over the fruits of the earth, or beasts of the fields, were among the gifts most commonly ascribed to them. The suspected persons were put to the most cruel tortures, in the agonies of which confessions were extorted from them which had little foundation in fact. Some confessions were no doubt voluntarily made which were the result of imagination. Among the various kinds of ordeals which were resorted to for the discovery of suspected witches, water was the most common in this country. The suspected person was cast into some water, and if she swam she was regarded as a witch, and if she sank as not one; so that not unfrequently it was death either way. Among the English settlers in New England and America, a mania for persecuting witches broke out, especially at Salem in 1692, when the cruelties inflicted on supposed witches, many of them persons of good social position, were of so revolting a character, that public indignation was at length aroused, and the persecutions were put an end to. The Acts 9 Geo. II. c. 5, and 56 Geo. II. c. 138, abolished all prosecutions for witchcraft in this country.

WITENAGEMOTE, *wit'-e-nai-je-mote* (Sax., *witan*, to know, and *gemoth*, an assembly).—This name literally signifies an assembly of wise men, and was the name given to the great national council or parliament among our Anglo-Saxon ancestors, consisting of the nobles or chiefs, the largest landholders, and the principal ecclesiastics. The powers of this council were very extensive. They had the power of electing and deposing the king, of making new laws, of concluding treaties. They had also the power to regulate ecclesiastical matters, appoint fasts and festivals, and control the levying of the ecclesiastical revenue. This council was abolished at the conquest, but the idea of it was preserved, and subsequently developed, till it assumed the form of our present Parliament.

WITNESSES, *wit'-nes-ses* (Sax., *witan*, to know).—In Law, persons who give evidence in judicial proceedings. In civil cases, witnesses

are compelled to attend by a process of *subpœna ad testificandum*; in criminal cases, by *subpœna*, or by recognition by the magistrate before whom the information is given. The witness is sworn not only to tell the truth, but also the whole truth, and nothing but the truth. All witnesses, of whatever religion or country, that have the use of their reason are to be received and examined, being sworn in the mode which they declare to be binding on their consciences; and Quakers, and others, including those who profess to have no religious belief, are permitted to make affirmations. Formerly infamy, or conviction of an infamous crime, and interest in the event of the case, were grounds of incompetence; but Act 6 and 7 Vict. c. 85, enacts that no person offered as a witness shall hereafter be excluded, by reason of incapacity from crime or interest, from giving evidence in any action civil or criminal.

WOODS AND FORESTS AND LAND REVENUES, COMMISSIONERS OF. In 1810, a Governmental Board, to consist of two or three commissioners, was constituted for the management and administration of the land revenues of the crown, and officially named, "the Commissioners of His Majesty's Woods, Forests, and Land Revenues." In 1832, the office of Surveyor-General of His Majesty's Public Works and Buildings having been abolished, the work of this department was transferred to the Commissioners of Woods and Forests; but this increase of duties being found to entail inconvenience, the department of Public Works was, in 1851, placed under the control of another Board, the Commissioners for Works and Public Buildings (which see).

WOOLSACK. *wool'-sæk.*—The name given to the seat of the Lord Chancellor of England, in the House of Lords, on account of its being a large square bag of wool, without back or arms, and covered with red cloth. The use of the woolsack originated in the reign of Queen Elizabeth, in commemoration of a legislative prohibition of the export of wool, which was at that time the main source of the commercial wealth of England.

"WORD, THE"—A title given by the evangelist John to Christ, at the opening of his Gospel. "In the beginning was the Word, and the Word was with God, and the Word was God." Much critical ingenuity has been expended on this passage. Probably the simplest explanation, that given by an American divine is the best: "Words are the expression of thoughts, which are necessarily entirely unknown until they are uttered in language. God is invisible and therefore unknown until He is revealed in Jesus Christ, who, because He is the manifestation of God in the flesh, is termed the Word of God that is, the utterance or disclosure of God to humanity."

WORKHOUSE.—The house in which parochial paupers are maintained. The name implies a place of labour, and originally that was the accepted signification of the word, now extended to include the meaning of a refuge for the old and infirm. In the reign of Charles II., an Act was passed authorizing the erection of workhouses in London, and Westminster, to which rogues and vagabonds might be committed, and where they would be compelled to work. The statute was not carried into effect until the

reigns of William and Mary, when the corporation of the city of London fitted up a house in Bishopsgate Street, dividing it into two portions, to one of which the lazy rogues were committed, while in the other poor children were lodged, partially educated, and trained to industrial pursuits. Act 9 Geo. I. c. 7, provided for the establishment of workhouses throughout the kingdom, empowering the churchwardens and overseers of the poor, with the consent of the majority of the parishioners, to build or hire houses for the lodging and maintenance of the poor. By the Poor Law Amendment Act of 1831, unions of parishes for the purpose of establishing one large workhouse were permitted. (*See GUARDIANS, PARISH AND POOR LAW.*) By 34 and 35 Vict. c. 103, every workhouse must have a casual ward for the reception of homeless wayfarers. Paupers are bound to perform the tasks set them in the house, or be subject to imprisonment with hard labour for a term not exceeding six weeks, and a similar penalty is inflicted in cases of drunkenness and other misconduct. The rule made by the Poor Law Amendment Act of 1831, and which aroused so much opposition, that husbands and wives should be separated, is by a later statute relaxed when the parties are both above 60 years of age. Some of the union workhouses have accommodation for more than 1,000 inmates.

WORKS AND PUBLIC BUILDINGS, BOARD OF.—A department of the executive Government established in 1851. (*See WOODS, FORESTS, AND LAND REVENUES.*) There is a First Commissioner who practically superintends the department, who is a high official, in some administrations having a seat in the Cabinet, and the Secretaries of State and the President and Vice-President of the Board of Trade. Besides having the superintendence of public buildings, he has the management of the metropolitan parks, and other public parks and gardens, and exercises a control over the formation of new streets in London, and the erection and repair of public structures.

WRITER, *n^o-ter.*—In Scotch Law, a general term applied to all legal practitioners who do not belong to the bar, and corresponding to solicitor in England. In each county they generally form a society among themselves, with their own by-laws, and regulating the terms of admission to their body. They enjoy the right of practising before the sheriff and other courts in their own county. *Writers to the Signet* (W.S.) are a legal body in Edinburgh, who enjoy the privilege, along with one or two similar bodies, of conducting cases before the Court of Session. Their peculiar privilege, however, is the preparing of all writs requiring to pass the royal signet, as summonses in all ordinary actions to be brought before the Court of Session, though a member of one of the other privileged bodies may conduct the case. They have likewise the right of preparing the warrants of all charters of lands coming from the crown, &c. *Writers to the Signet* take their name from having been originally employed as clerks in the office of the Secretary of State, where the different writs that passed under the king's signet were prepared. They do not possess a charter of incorporation, but enjoy all the privileges of a corporate body. A candidate for admission must have served a five years' apprenticeship, and is called upon to pass satisfactorily an examination in scholarship and law.

The apprentice fee in £200. By 36 and 37 Vict. c. 63, the exclusive right of practising before the supreme and the inferior courts of Scotland was granted to a newly created body, designated law agents, admission to which must be preceded by an apprenticeship of five years, or of three years in the case of a person who has been clerk to a law agent for five years, is a graduate in law or arts, an advocate in Scotland, or barrister or solicitor in England. An examination precedes admission, except in the case of persons who were writers to the signet or solicitors in the Supreme Court, or procurators before the inferior courts, prior to February, 1874, who are entitled on application to be enrolled as law agents.

WRIT, *ut*.—In Law, the term properly signifies

a writing under the king's seal, of some right or privilege, or commanding something to be done. Writs are either *patena* or *close* (sealed up), or supposed to be a former address to all persons indiscriminately, the latter to some particular officer or other person. More commonly, however, it is a writ issuing out of some court, directed to the sheriff or other officer, commanding or commissioning something to be done in relation to a suit or action. There are a variety of other kinds of writ: as writ for the election of members of parliament, writ of habeas corpus, writs of subpoena, writ of inquiry, &c. (See various headings.) The Act 3 & 4 Will. IV. abolished a great number of different kinds of writ.

Y.

YEAR-BOOKS.—Reports in Norman-French of cases argued and decided in the courts of common law. The reports in the printed volumes extend over a period of about 200 years, from the beginning of the reign of Edward II. to nearly the end of the reign of Henry VIII. These reports may be considered to a great extent as the foundation of the "unwritten law" of England.

YEOMAN, *yo'-man* (Ang.-Sax., *gemen*, common). Since the 15th century this term has been applied to small freeholders, who live on or cultivate their own land. Socially, they rank between the large landowner and the labourer. Previous to the date mentioned, the name was given to men employed as domestic servants.

YEOMANRY, *yo'-man-ry*.—A volunteer force of cavalry, formed at the time when a French invasion was anticipated, during the wars following the French Revolution. At first there were infantry as well as cavalry regiments; but the former were disbanded in 1814. Thirty-nine regiments are enumerated in the Army List, all of them having territorial designations. The Lord Lieutenant of each county has the control of the corps within his county. The men, mostly of the yeoman and small farmer class, provide their own horses and uniforms; but in return receive annually an allowance of £2 each, pay no tax on the horses employed in Yeomanry duty; and when called out for the annual training, have an allowance of seven shillings a day, and two

shillings a day for forage. They may be embodied for service in any part of Great Britain, in case of an invasion or attempted invasion, and in that case receive full cavalry pay and allowances.

YEOMEN OF THE GUARD.—A body of foot-guards for the protection of the person of the sovereign, instituted in October, 1485, at the time of the coronation of Henry VII. The corps at first consisted of a captain and 70 men. They attended at the king's *buffetier*, or side board; and hence, according to most authorities, came the popular nickname, Bee-eaters, a corruption of *buffetiers*. (See BEE-EATERS.) They were all very tall men, and were well armed. The strength of the corps was afterwards increased to 100, with 70 supernumeraries, from among whom any vacancies were supplied. All veteran soldiers. They are now in attendance on all state occasions, when they wear a costume similar to that of their predecessors in the days of Henry VII. The officers of the corps are a captain, a lieutenant, ensign, clerk of the charge, and adjutant. The headquarters are at the Tower of London. The expenses of the corps are charged to the civil list.

YOGA, *yo'-ga* (Sanskrit, *yuj*, join).—The name of one of the two divisions of the Sankhya philosophy of the Hindus. The theme of this division is the existence of a Supreme Being, and the means by which the human soul may become permanently united with it.

Z.

ZABIANS, *za'-be-ans*.—A name somewhat indefinitely applied to various teachers of philosophy at remote periods of the world's history; but more strictly to a sect which appeared in the early centuries of Christianity, and who adopted and taught Gnostic and Neo-Platonic doctrines. (See GNOSTIC, and NEO-PLATONISM.)

ZECHARIAH, BOOK OF, *zek'-a-ri'-a*.—One of the canonical books of the Old Testament Scriptures; being the eleventh in order of the minor prophets. The author, Zechariah, began his prophecy in the second year of the reign of Darius, shortly after the return from Babylon, where he is generally supposed to have been born.

The book consists of four general divisions: 1. The introduction, or inaugural discourse (ch. i. 1-10); 2. A series of nine visions, extending onwards to the end of chapter vi., communicated to the prophet in the third month after his installation; 3. In chapter vii., the Jews inquire whether they are still to observe the fasts that had been instituted on account of the destruction of Jerusalem, and the prophet takes the opportunity of enforcing upon them the weightier matters of the law; 4. The four following chapters contain a variety of prophecies unfolding the fortunes of the people, their safety in the midst of Alexander's expedition, and their victories under the Maccabees, including the fate of many of the

rounding nations; while the remaining three chapters portray the future condition of the people, especially in Messianic times. The style of this book is deficient in the purity and freshness of a former age, and the figures and symbols are frequently obscure, though, with the exception of Isaiah, his allusions to the Messiah, and his kingdom, are the most clear and direct of any of the prophets. Some modern critics have denied the authenticity of the last six chapters.

ZEMINDAR, *ze-min-dar'*.—A title given to governors of districts or large towns, under the magistrate, in India.

ZEND-AVESTA, *zend-a-ves'ta*.—The name given to the sacred books of the Parsees. The authorship of the books is ascribed to Zoroaster, the founder of their religion. The Zend language, in which they are written, is very ancient, and bears a great affinity to the Sanscrit. The general opinion is, that the Zend-avesta, as it at present stands, is a collection made about 220, B.C., of the remains of more ancient writings respecting their religion; though how far these are to be attributed to Zoroaster it is of course impossible to say. The Zend-avesta consists of five books, the greater part of which are said to have been revealed by Ormuzd, the good spirit, to Zoroaster. They treat of the creation of the world; of the two antagonistic principles, Ormuzd, or the good spirit, and Ahriman, the evil spirit; of the various kinds of genii or inferior evil spirits; of a future state of rewards and punishments, &c. Another part consists of a collection of short prayers and hymns, addressed to the different genii, moral

sentiments, &c. The essential principle of the religion taught in the Zend-avesta is belief in the existence of two contending spirits or influences, personified in Ormuzd and Ahriman, the good and the evil, light and darkness, life and death. One makes life, and the other destroys it, but only in this sphere: in the hereafter, Ahriman has no power over death. All duty is summed up in obedience to Ormuzd the good, to whom alone allegiance and worship are due. There is a future life, in which the pure and holy will receive their reward, and the wicked undergo punishment. The ideas of the resurrection of the body and the appearance of a Messiah supernaturally born, who shall restore the dead to life, and hold the last judgment, also appear in the Zend-avesta.

ZEPHANIAH, BOOK OF, *zef-a-ni'-a*.

—One of the canonical books of the Old Testament, the ninth in order of the minor prophets. The author is believed to have flourished during the earlier portion of the reign of Josiah. The book contains only three chapters. In the first the sins of the nation are severely reprimanded, and a fearful day of retribution menaced. In the second repentance is pointed out as the only means of averting the divine vengeance; and the ungodly and persecuting states in the neighbourhood of Judea are doomed. In the third chapter, the captivity of the Jews by the Babylonians is foretold, together with their final restoration, and the ultimate prosperous state of the Church. The style is pure and poetical.

ZOROASTER, RELIGION, *z'o-ro-as't'r*.
(See PARSEES, AND ZEND-AVESTA.)



